

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1620 OF 2021

Vikash Ramesh Prajapati	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

...

Mr.Devendra B. Shukla for the applicant.
Mr. A.R. Kapadnis, APP for the State.
API Vivek Dabholkar from Kharghar police station.

CORAM: BHARATI DANGRE, J.
DATED : 3rd AUGUST, 2021

P.C:-

1 In furtherance of the order passed on 29th July 2021, the learned APP has placed on record the photographs which are retrieved from the mobile phone of the complainant in C.R.No. 213 of 2021. Perused the said photographs. The case of the complainant will have to be appreciated in light of the same.

2 The applicant is arraigned as an accused in C.R.No. 208 of 2021 registered with Kharghar police station, Navi Mumbai at the instance of the complainant, who alleged that the applicant along with his father-in-law and brother-in-law assaulted the complainant and his wife causing injuries by

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suspecting that there was an existing illicit relationship of the complainant and the wife of the applicant. Pertinent to note that on the very same day, the wife of the applicant has also lodged a C.R. with the very same police station under which an offence punishable under Section 376(2)(n), 323, 504, 506 of IPC and Section 66E of the Information Technology Act, has been invoked, and the complainant Sudarshan Dubey is also arrested in the said C.R.

3 As far as the present C.R wherein the applicant is arraigned as accused, I have perused the certificate of injury. The certificate record three fresh injuries on the complainant, of which two are Simple Injuries and the third one is a fracture of Olecranon which is a grievous injury. His wife also sustained one CLW on Right Parietal Region which is also classified as Simply Injury. These injuries are sustained in the incident which is reported by the complainant to have taken place on 13th June 2021, report of which is lodged on 15th June 2021, thereby arraigning the applicant and three other persons as accused.

4 In light of the two cross FIRs and the nature of injuries, the applicant, in my considered opinion, is entitled for protection in the event of his arrest and no Custodial Interrogation is warranted. Hence, the following order :-

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O R D E R

- (a) In the event of his arrest, the Applicant – Vikas Ramesh Prajapati, in connection with C.R.No.208 of 2021 registered with Kharghar police station shall be released on bail on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall make himself available as and when required by the Investigating Officer.

5 The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J