

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1706 of 2021**

Pratik Sudhakar Shingte

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Rahul Dhaygude for the applicant.

Mr. Ajay Patil, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 26th JULY 2021

P.C:-

1 The applicant is seeking the same relief based on the similar reasoning in favour of the co-accused Prasad @ Jay Sahebrao Shelar at the hands of this Court on 30th June 2020 (LDVC ABA No.36 of 2020).

2 The FIR No.393 of 2019 came to be registered with Satara Police Station for the offence punishable under Section 307, 341, 143, 147, 148, 149, 497 of the IPC and to be precise on 11th June 2019. The FIR is lodged by one Akshay Kadam who was playing the music on the music system on the occasion of marriage in the family of Shri Pawar. The friends of the bride-

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groom who were under the influence of liquor, were shaking their legs on the music and the music system was stopped at 9.30 p.m. The persons playing the music system came to be assaulted by 10-12 persons by means of wooden sticks and stones. It is this incident which resulted into registration of an FIR arraigning several persons as accused.

2 The applicant stand on a similar footing as to the co-accused Prasad Shelar who has not been named in the FIR and his name has surfaced in the supplementary statement after the lapse of approximately six months.

3 Perusal of the investigation papers clearly reveal that the FIR refer to 10 – 12 unknown persons and the injuries that were sustained were found to be simple injuries. However, considering the presence of more than five persons, offence under Section 147, 148, 149 came to be invoked.

4 The applicant is also a young person aged 26 years with no criminal antecedents. In such circumstances, there is no reason why he should be denied the similar relief as was granted in case of Prasad Shelar, of being protected in the event of his arrest, subject to the stipulation that he will render his assistance to the Investigating Officer in carrying out the investigation. Hence, the following order :-

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O R D E R

- (a) In the event of his arrest, the Applicant – Pratik Shingte in connection with C.R.No. 393/19 registered with Satara City Police Station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) He 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 attend the concerned ps every Thursday between 10.00 am to 1.00 p.m for a period of four weeks and thereafter as and when directed by the Investigating Officer.
5. The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J