

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1846 OF 2021

Ramnaval Chauhan	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Niten V. Gaware, for the applicant.
Mr. R.M. Pethe, APP for the State/Respondent.
PSI S.B. Parkhe, Ulhasnagar Police Station present.

CORAM : PRAKASH D. NAIK, J.
DATE : 22nd SEPTEMBER, 2021

P.C. :

1. This is an application for anticipatory bail in C.R.No. 454 of 2020 registered with Ulhasnagar Police Station, Thane City, for offences punishable under sections 326,324,323,504,506 read with Section 34 of the Indian Penal Code (for short 'I.P.C.'). Subsequently Section 307 of the I.P.C. was invoked.

2. Case of the prosecution is that the complainant Raisaheb Ramsagar Yadav, has alleged that on 20th December 2020, there was quarrel with Ashish Chauhan, while parking auto

rickshaw. The complainant intervened and told Ashish Chauhan and Shivmohan Yadav not to quarrel. At that time, Rahul Chauhan came with weapon and assaulted the complainant on his head. Brother of the complainant Lalsaheb Yadav intervened. Rahul Chauhan also assaulted him by giving blow on abdomen by weapon. Thereafter, Jitesh Yadav, intervened. He was also assaulted. At that time, Ashish Chauhan, Ramnaval Chauhan (the present applicant) and Sajan Taag had assaulted Shivmohan Yadav and caused injuries. In the past, there was quarrel between the complainant and Rahul Chauhan and the offence was registered in that regard.

3. The submissions of learned Counsel for the applicant is that the applicant has been falsely implicated in this case. The cross case was registered against the opponents. The role attributed to the applicant is vague. There are no criminal antecedents against the present applicant. The applicant need not be subjected to custodial interrogation. One of the co-accused is arrested.

4. Learned APP submitted that the co-accused Sajan Taag is arrested. Learned APP pointed out injury certificates and submitted that three persons were injured. The specific role is attributed to the applicant.

5. I have perused the statements of the witnesses and the injury certificates. The case of the prosecution is that Lalsaheb Yadav had sustained serious injuries which was caused by weapon on his abdomen. On perusal of the statement of Lalsaheb Yadav, it can be seen that he has not attributed role of assault to the applicant. The complainant has also stated that injury to the abdomen of Lalsaheb Yadav was caused by Rahul Chauhan. Considering the aforesaid factual aspects, the custodial interrogation of the applicant is not necessary.

6. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application No. 2110 of 2021 is allowed.
- (ii) In the event of arrest of the applicant in connection with in C.R. No. 454 of 2020 registered with Ulhasnagar Police Station, Thane City, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one

or more sureties in the like amount.

(iii) The applicant shall report to the Investigating Officer on 28th , 29th and 30th September 2021.

(iv) Anticipatory Bail Application stands disposed of accordingly

(PRAKASH D. NAIK, J.)