

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

ANT. BAIL APPLICATION NO.2033 OF 2021

Mahadev @ Sundar B.
Mhatre

... Applicant

Vs

The State of Maharashtra

... Respondents

...

Mr. Vishal Patil for the Applicant.

Smt. Anamika Malhotra, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 27th AUGUST, 2021.

P.C. :

Applicant seeks pre-arrest bail in offence registered under Section 307 of the Indian Penal Code, 1860

2 Although incident of assault had occurred on 29th June, 2018 and the report was lodged on 30th June, 2018, from the material and information, it is clear that the present applicant was not available for the interrogation and investigation since then. Although, he has not been

declared as proclaimed offender in terms of Section 82 of the Code of Criminal Procedure, 1973, observations made by the learned Sessions Judge in paragraph 16 clearly implies that the applicant kept himself away and concealed his identity since 2018 till 2021. He conveniently approached the Sessions Court, after ensuring charge-sheet has been filed against co-accused. It may be noted that offence registered against the applicant and the co-accused is under Section 307 of the Indian Penal Code, 1860.

3 In consideration of this fact, application is rejected.

(SANDEEP K. SHINDE, J.)