

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

ANTICIPATORY BAIL APPLICATION NO.2809 OF 2021

Rajkumar Yadav ..Applicant
Versus
The State of Maharashtra ..Respondent

Mr. Shailendra Singh a/w Prachish Shukla i/by Mr. Aashish Shukla,
Advocates for the Applicant.

Mrs. J. S. Lohokare, APP for the Respondent - State.

CORAM : NITIN W. SAMBRE, J.

DATE : 7th DECEMBER, 2021

PC.

1. Applicant is seeking pre-arrest bail in Crime No. 659 of 2021 registered with Virar, Mira-Bhayandar, Vasai-Vir Police Station for the offence punishable under Sections 326, 143, 147, 148, 149 of IPC.

2. Prosecution case is, applicant along with other accused assaulted the complainant.

3. Counsel for the applicant has come with the case of false implication. It is further claimed that though complainant was knowing the applicant being neighbour has not named, which is required to be inferred in favour of the applicant. It is further claimed that the applicant has co-operated in the investigation.

That being so, he deserves to be protected.

4. Learned APP opposed the prayer.

5. Apart from the fact that eye witnesses have named the applicant's involvement in the crime specifically overt act is attributed for the offence punishable under Section 326 of IPC for which punishable prescribed is more than ten years.

6. Complainant has suffered life threatening injuries and that being so, prosecution is justified in invoking provisions of Section 326 of IPC.

7. No case for bail is made out.

8. Application as such stands rejected.

[NITIN W. SAMBRE, J.]