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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2846 OF 2021

Prabhas Durganand Jha

...|Applicant

Versus

State of Maharashtra

...Respondent

Mr. Ujjwal Gandhi, for the Applicant.

Mr. AR Kapadnis, for the Respondent-State.

Mr. Pankaj Ghatkar, PSI, Turbhe Police Station, is present.

CORAM: Nitin W. Sambre, J.

DATED: 29th November 2021

P.C.:-

1. By this application, the Applicant-accused is seeking pre-arrest bail in C.R. No. 305 of 2021 registered with Turbhe Police Station for offences punishable under Sections 307, 323, 504, 506, 34 of the Indian Penal Code pursuant to an incident occurred on September 17, 2021.

2. The case of the prosecution is that the Applicant along with other three co-accused assaulted the manager and staff of the restaurant over a dispute with regard to the payment of bill amount.

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3. The FIR does not speak of any specific role attributed to the Applicant.

4. The only involvement of the Applicant as being noticed from the available papers is the common intention.

5. I am informed that there are no criminal antecedents against the Applicant.

6. In the aforesaid background, the custodial interrogation of the Applicant is not justified.

(i) In the event of arrest of the Applicant in C.R. No. 305 of 2021 registered with Turbhe Police Station for offences punishable under Sections 307, 323, 504, 506, 34 of the Indian Penal Code , he be released on furnishing P.R. bond in the amount of Rs. 15,000/- with one or two sureties in the like amount.

(ii) The Applicant is not to influence the prosecution witnesses or tamper with evidence.

(iii) The Applicant shall attend the Investigating

Officer from 6th to 11th December 2021 between 10.00 a.m. to 12.00 noon and thereafter as and when directed by the Investigating Officer.

7. The Anticipatory Bail Application is disposed of in these terms.

(Nitin W. Sambre, J.)