

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

ANTICIPATORY BAIL APPLICATION NO.3041 OF 2021

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Samadhan Dnyaneshwar Gaikwad

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. Ammar I. Nizami i/by Mr. Mohammed Umar Kazi, for the Applicant.

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

Mr. Dharmaraj T. Sanke, API, Kalyan Taluka Police Station, Thane Rural – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 20th DECEMBER, 2021

PC.

1. Applicant is seeking pre-arrest bail in Crime No.141 of 2019 registered with Kalyan Taluka Police Station, Thane Rural for the offence punishable under Sections 307, 143, 147, 148, 149 of IPC and 33(1)(c), 135 of Bombay Police Act and 4, 25 of Arms Act.

2. Perused the investigation papers. The initial injury certificate speaks that complainant suffered simple injuries. However, after being hospitalized in Life Care Hospital after 20 days, injury certificate speaks that complainant suffered grievous injuries.

3. Apart from above, allegations against the applicant are

similar to other accused persons as such specific complicity of involvement of applicant in the crime cannot be noticed. If the cumulative effect of such statement in the FIR is considered in the light of injury certificate, the false implication of the applicant cannot be ruled out.

4. In the event of arrest in Crime No.141 of 2019 registered with Kalyan Taluka Police Station, Thane Rural for the offence punishable under Sections 307, 143, 147, 148, 149 of IPC and 33(1) (c), 135 of Bombay Police Act and 4, 25 of Arms Act, applicant is directed to be released on bail on executing P. R. bond of Rs.15,000/- with one or more sureties in the like amount.

5. Applicant shall attend the Investigating officer from 27th December, 2021 to 30th December, 2021 between 10.00 a.m. to 12.00 noon and thereafter as and when directed.

6. As such, application stands disposed of.

[NITIN W. SAMBRE, J.]