

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

ANTICIPATORY BAIL APPLICATION NO. 3018 OF 2021

Suresh Krishna Shriram	.. Applicant
Vs.	
The State of Maharashtra	.. Respondent

Mr. Rahul B. Vijaymane for the applicant
Mr. Amit Palkar, APP for the respondent - State

CORAM : NITIN W. SAMBRE, J.

DATED : 19th September, 2022

P.C.:

1. Heard.
2. The applicant is seeking pre-arrest bail in crime no. 692 of 2021 registered with MIDC police station, Solapur for the offence punishable under sections 326, 324, 323 r/w. 34 of IPC and under section 135 of Bombay Police Act.
3. The prosecution case is, the applicant alongwith other co-accused who happens to be his brother and Sandeep assaulted the victim with sword and stick. The applicant at the relevant time armed with sword.
4. The submissions of learned counsel for the applicant are, the applicant was suffering from very serious nerve injury and as such cannot be said to have participated in the offence in question.

5. It is further claimed that the applicant is available for investigation and that being so, be released on bail.
6. Learned APP would oppose the prayer based on the investigation papers.
7. I have appreciated the aforesaid submissions.
8. It appears from the records that apart from above, there are similar antecedents against the applicant. The eye witnesses have specifically named the applicant of the active participation in the crime by use of sword.
9. Apart from above, the medical certificate or documents which are relied on by the applicant are stale in nature as the applicant had taken treatment for such nerve damage ailment in 2020 whereas the offence is alleged to have been committed on 21/10/2021. The evidence collected during the investigation sufficiently implicates the applicant in serious offence.
10. That being so, no case of anticipatory bail is made out. The application stands rejected.

(NITIN W. SAMBRE, J.)