

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3085 OF 2022

Rajnikant R. Balshankar

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. Dilip Shinde i/b Mr. S.M. Bhavar for the Applicant.

Ms P.P. Shinde, APP for the Respondent/ State.

API Vasant Pawar attached to Jodbhari Police Station present.

CORAM : N.R. BORKAR, J.
DATE : 11.11.2022.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure, 1973 for grant of anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 284 of 2022 registered at Solapur City Police Station for the offences punishable under Sections 141, 142, 143, 144, 145, 146, 147, 148, 149, 307, 324, 326, 504 and 506 of the Indian Penal Code, 1860 (IPC); under Sections 4 and 27 of Arms Act and under Sections 102, 117, 37 read with 135 of Maharashtra Police Act.
3. It is the case of the prosecution that on 3 June 2022 in the evening at about 6:00 p.m., the present applicant along with other co-accused assaulted the complainant and other injured witnesses by sword, stick and stones.
4. I have heard the learned counsel appearing for the applicant

and the learned APP for the respondent / State and perused the FIR.

5. The learned APP has tendered the copy of order dated 14 September 2022 passed by this court in Anticipatory Bail Application No. 2273 of 2022. By the said order, this Court rejected the anticipatory bail application of the co-accused Ramakant Balshankar. The learned APP submits that the present applicant is the main accused and he assaulted the complainant and other injured witnesses by sword. It is submitted that this court has rejected the anticipatory bail application of the co-accused - Ramakant Balshankar though much lesser role is attributed to him in crime in question.

6. I have perused the FIR. Perusal of first information report reveals that at the time of incident, the present applicant was armed with sword and he assaulted the complainant and other injured witnesses. The learned counsel for the applicant submits that the applicant is government servant. However, considering the fact that the applicant assaulted the complainant and other injured witnesses by sword, I am not inclined to release him on anticipatory bail. Hence, the anticipatory bail application is rejected.

[N.R.BORKAR, J.]