

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 227 OF 2022

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NITIN
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Date: 2022.01.31
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Hemant Vasantao Jagtap
V/s.

..Applicant

The State of Maharashtra

..Respondent

Mr. N.R. Bubna for the Applicant.

Mr. Y.Y. Dabke, APP for the Respondent/State.

API Prakash Kale attached to Pawarwadi Police Station present.

CORAM : C.V. BHADANG, J.

DATE : 31 JANUARY 2022
(Through Video Conferencing)

P.C.

1. By this application, the Applicant (accused No.4) apprehending his arrest in connection with the investigation of Crime No. 3 of 2022 registered with Pawarwadi Police Station, Dist. Nashik under Section 307, 143, 147, 149, 427 of IPC and Section 3, 4, 5, 25, 27 of the Arms Act, 1959 is seeking pre-arrest bail.

2. I have heard the learned counsel for the parties. Perused case diary.

3. Prima facie it appears that there are counter FIRs registered. The allegation is that the parties fired against each other in order to commit murder. However, indisputably none of the parties were injured in the incident. There are 6 accused out of which 4 are said to be arrested and from them certain recovery is made.

4. The learned APP on instructions from the Investigating Officer who is present before this Court states that except recovery of an axe, which the Applicant was allegedly holding, (there is no allegation that the same was used by the Applicant), custody of the Applicant is not required. He submitted that the attendance of the Applicant may be granted.

5. In that view of the matter, the following order is passed:

ORDER

i) In the event of his arrest, in connection with the investigation of Crime No. 3 of 2022 registered with Pawarwadi Police Station, District Nashik, the applicant shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The applicant shall report to the Investigating Officer on 7th, 8th and 9th February 2022 between 11.00 a.m. to 1.00 p.m. and as and when required by the Investigating Officer.

iii) The applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution evidence/witnesses.

iv) The Applicant shall not directly or indirectly make any attempt to contact the informant or any other prosecution witnesses and shall keep peace.

v) In the event of breach of any of the conditions, the order is liable to be vacated.

vi) The Criminal Application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)