

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 327 OF 2022

SNEHA
NITIN
CHAVAN

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Date: 2022.02.17
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Sachin Janardan Ingale

..Applicant

V/s.

The State of Maharashtra

..Respondent

Mr. Ghansham Jadhav for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent/State.

PSI S.R. Jadhav, Paud Police Station, Pune present.

CORAM : C.V. BHADANG, J.

DATE : 17 FEBRUARY 2022

P.C.

1. The Applicant, apprehending his arrest in connection with the investigation of Crime No. 294 of 2021 registered with Paud Police Station, Dist. Pune under Section 307, 312, 109, 323, 504, 506, 507, 354 read with Section 34 of I.P.C. is seeking pre-arrest bail.

2. The Applicant is accused No.2. Accused No.1 has been arrested and accused No.3 has been granted anticipatory bail by the learned Sessions Judge.

3. Heard the learned counsel for the parties. Perused FIR.

4. A bare perusal of FIR shows that Applicant was not present on the spot and there is no allegation in the FIR taken as it is that the Applicant was present and has assaulted the first informant. It appears that the learned Sessions Judge has refused to grant anticipatory bail mainly on the ground that there are previous offences under Section 376 of IPC registered against the Applicant at the instance of the informant. However, in my considered view, this cannot come in the way of grant of bail in this case particularly in view of the fact that the Applicant was not present and has not attributed with any allegation of assault.

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. 294 of 2021 registered with Paud Police Station, Dist. Pune, 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 24th and 25th 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.

6. The criminal application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)