

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

ANTICIPATORY BAIL APPLICATION NO.680 OF 2022

Sunil Ramkhilawan Prajapati

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Ms Pooja N. Sejpal with Ms Akshata Desai for the Applicant.

Mr. S.H. Yadav, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 16th MARCH, 2022.

P.C.:-

1. By this application filed under Section 438 of the Cr.P.C., the Applicant has sought pre-arrest bail apprehending his arrest in Crime No.I-661 of 2021 registered with Navghar Police Station, District-Mira Bhaynder for offences punishable under Sections 307, 120-B, 323, 504, 506 r/w 34 of the IPC.

2. Heard Ms Pooja Sejpal, learned counsel for the Applicant and Mr. S.H. Yadav, learned APP for the Respondent-State. Perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by one Arvind Yadav. Case of the complainant is that on 23/09/2021 at about 10.30 p.m. the co-accused Bachhi Yadav and three other associates had abused his father Joginder Yadav and that they had assaulted him and his father Joginder Yadav by kicks and blows. The Complainant had also stated that co-accused Bachhi Yadav removed a knife from his pocket and stabbed his father. The statement of the injured-Joginder also prima facie indicates that he was stabbed by the co-accused Bachhi Yadav. The only role attributed to the Applicant was that he was present at the place of the incident and that he was involved in assaulting Arvind Yadav by fist blows and kicks. The material on record indicates that the incident had occurred at the spur of the moment and was not pre-meditated.

4. Under the circumstances, in my considered view this is a fit case for grant of pre-arrest bail. Hence, the application is allowed on following terms and conditions:-

- (i) In the event of arrest of the Applicant in No.I-661 of 2021 registered with Navghar Police Station, District-Mira Bhaynder, he shall be released on bill till the next date of hearing on furnishing bail bonds of Rs.25,000/- with one

or two solvent sureties in the like amount.

(ii) The Applicant shall report to the investigating officer for a period of four days from 21st March, 2022 between 10.00 a.m. to 1.00 p.m. and thereafter as and when directed by the investigating officer.

(iii) The Applicant shall furnish his current address and mobile contact numbers and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

5. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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