

Santosh

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

ANTICIPATORY BAIL APPLICATION NO. 786 OF 2022

Shakti Krushant Kurade ...Applicant

Versus

State of Maharashtra ...Respondent

Mr. Anand S. Patil, for the applicant,

Mr. J. S. Lohokare, APP for the State-Respondent.

CORAM: N. J. JAMADAR, J.

DATED : 23rd JUNE, 2022

ORDER:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. This is an application for pre-arrest bail in connection with CR No.67 of 2022, registered with Juna Rajwada Police Station, Kolhapur, for the offences punishable under sections 307, 452, 324, 323, 143, 144, 145, 147, 148 and 149 of the Indian Penal Code, 1860 ("the Penal Code") and section 4 read with Section 27 of the Arms Act, 1959.

3. The learned counsel for the applicant submitted that, while granting interim pre-arrest bail, this Court has recorded in clear and explicit terms that no specific role has been attributed to the applicant, though named in the FIR as one of the members of the unlawful assembly in prosecution of the

common object of which the alleged offences have been committed.

4. The learned counsel for the applicant invited the attention of the Court to an order passed by this Court on 14th June, 2022, whereby pre-arrest bail was granted to co-accused Ananda Kurade. The said co-accused was attributed the role of having assaulted one of the injured, Rupali Awale, by means of a pipe. Even no such role of assault is attributed to the applicant in this case, urged the learned counsel for the applicant.

5. This aforesaid submissions on behalf of the applicant appear factually impeccable. In the backdrop of the nature of the accusation, the custodial interrogation of the applicant does not seem to be warranted. The applicant is entitled to same dispensation as has been granted to co-accused Ananda Kurade on the principle of parity as well.

6. Hence, the following order:

: O R D E R :

- (i) The application stands allowed.
- (ii) The interim order of pre-arrest bail dated 24th March, 2022 stands confirmed on the terms and conditions incorporated therein.

(iii) In addition, the applicant shall co-operate with the investigation and report to the Investigating Officer as and when directed.

(iv) The applicant shall regularly attend the proceedings before the jurisdictional Court.

[N. J. JAMADAR, J.]