

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

ANTICIPATORY BAIL APPLICATION NO.865 OF 2022

Amit Sitaram Chamola

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Mr. Amit Singh for the Applicant.

Ms Rutuja Ambekar, APP for Respondent-State.

Mr. S.A. Padwal, API, Hill Line Police Station, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 31st MARCH, 2022.

P.C.:-

1. This is an application under Section 438 of the Cr.PC. filed by the Applicant apprehending his arrest in C.R. No.343 of 2019 registered with Hill Line Police station, District-Thane, for offences punishable under Sections 323 and 394 r/w 34 of the IPC.

2. Heard Mr. Amit Singh, learned counsel for the Applicant and Ms Rutuja Ambekar, learned APP for 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 Santosh Kalekar. The Complainant has alleged that on 01/10/2019 due to some previous disputes, the co-accused and his three friends assaulted him and his friend-Sonu with a fibre pipe and snatched Rs.3,500/- and 1,250/- from their pockets. In his supplementary statement he has stated that the three unknown persons had assaulted him and his friend with kicks, blows and wooden *danda*. Statement of Sonu was again recorded on 10/06/2021, wherein he has claimed that he was shown one of the assailants at the police station. The said person had disclosed his name as Akash Katare and of the other assailant as Amit Chamola. Apart from this, there is no other material to show the involvement of the Applicant in the aforesaid crime.

4. The crime is of the year 2019. It is stated that the charge sheet is already filed and the presence of the Applicant is not required for investigation or interrogation.

5. Under the circumstances, this is a fit case for pre-arrest bail. Hence, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in C.R.

No.343 of 2019 registered with Hill Line Police station, District-Thane, the Applicant shall be

released on bail on executing PR bonds in the sum of Rs.25,000/- with one or two sureties to the like amount.

(ii) The Applicant shall report to the Investigating Officer as and when required by the Investigating Officer.

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

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

MEGHA
S
PARAB

Digitally signed
by MEGHA'S
PARAB
Date:
2022.04.05
18:07:51
+0530