

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

**ANTICIPATORY BAIL APPLICATION NO.1731 OF 2022**

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Prashant Sudam Botre

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. Shailesh Chavan, for the Applicant.

Ms. Geeta P. Mulekar, APP for the Respondent/State.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : 21<sup>st</sup> SEPTEMBER, 2022**

**PC.**

1. Applicant is seeking pre-arrest bail in Crime No.881 of 2022 registered with Chakan Police Station, Pune for the offence punishable under Sections 307, 141, 143, 148, 149 of IPC and Sections 3, 7 and 25 of Arms Act.

2. The case of the prosecution is, co-accused has used firearm in the commission of offence in which applicant claimed to be one of the accomplice. Case of the prosecution is based on the statement of co-accused wherein it is stated that applicant was physically present on the spot of the incident with the co-accused. If the aforesaid statement is appreciated, what can be noticed is all the co-accused even if have stated that applicant was present on the spot of the incident, no active role is attributed to the applicant in commission of offence.

3. Apart from above, this Court is required to be sensitive to the fact that there are no antecedents against the applicant. In that view of the matter, ad-interim protection order granted by this Court on 30<sup>th</sup> June, 2022 in favour of the applicant stands confirmed.
4. Applicant shall attend the Investigating Officer as and when directed.
5. In the event of arrest, applicant is directed to be released on bail on furnishing PR bond of Rs.15,000/- with one or more sureties in the like amount.
6. Applicant shall attend the Investigating Officer as and when directed.
7. Application as such stands disposed of.

**[NITIN W. SAMBRE, J.]**