

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

ANTICIPATORY BAIL APPLICATION NO. 2032 OF 2022

Umesh Rajaram Shinde	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Sanket Thakur i/b. Mr. Rahul Thakur for the Applicant.
Ms. S.S. Kaushik, APP for the State.
Mr. Sunil Holar, PSI, Taloja Police Station.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 24th AUGUST, 2022.

P. C. :-

. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.186/2022 registered with Taloja Police Station, Navi Mumbai for offences punishable under sections 353, 332, 504, 506 r/w. 34 of the Indian Penal Code and sections 112 and 117 of Maharashtra Police Act.

2. Heard learned counsel for the Applicant and learned APP for the State. I have 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

Lokesh Badbude, Police Constable. He has stated that on 02/07/2022 from 21:00 hours to 03/07/2022 at 09:00 a.m., he had intercepted auto rickshaw bearing No.MH-46-BD-4801 and demanded his documents. He has stated that the driver of the said auto rickshaw started abusing him. The Applicant and the another person who were present along with the driver also manhandled the complainant. The co-accused held him and that the Applicant caught hold of the collar of the complainant and tore his uniform. The complainant has stated that the police van had reached on spot of the incident and that the driver and the co-accused were apprehended on the spot whereas the Applicant fled away from the place of the incident.

4. Learned counsel for the Applicant states that the co-accused who had assaulted the police constable, has been released on bail. It is pertinent to note that the co-accused was granted regular bail whereas the present Applicant has filed Application for pre-arrest bail. Furthermore, the records reveal that the Applicant has been absconding since the date of the incident. Learned APP states that till date, he is not available in the village. Learned counsel for the Applicant does not dispute the said statement that the Applicant is not available in the village.

5. Considering the above facts and circumstances, I am not inclined to grant pre-arrest bail. Hence, the Application is dismissed.

**PREETI
H JAYANI**

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Date: 2022.08.26
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(SMT. ANUJA PRABHUDESSAI, J.)