

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2030 OF 2022

Ahmad Mujtaba Aasif Iqbal ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Mahendra Sandhyanshiv for Applicant.
Ms. Geeta P. Mulekar, APP for Respondent-State.

CORAM : NITIN W. SAMBRE, J.
DATE : SEPTEMBER 14, 2022

P.C. :

Applicant is seeking pre-arrest bail in Crime No.63 of 2022 registered with Killa City Police Station, District - Nashik for the offences punishable under Sections 307, 143, 144, 147, 148 and 149 IPC as also Sections 3 and 25 of the Arms Act.

2. The submissions of counsel for the applicant are, there are no criminal antecedents and if at the age of 21 the applicant is arrested, it will reflect on his future calibre. It is also urged that the applicant had no intention to commit the offence as can be inferred from the material available on record.

3. APP would oppose the prayer based on the statements of the eyewitnesses.

4. I have perused the record and statements of the complainant and also the other eyewitnesses where the presence of the applicant so also the specific attack by the applicant is mentioned. The applicant has actively participated in the commission of crime. The other co-accused are yet to be identified and arrested in the matter.

5. That being so, having regard to the fact that the applicant's *prima facie* involvement in the offence can be inferred to, no case for bail is made out. Apart from the above, learned APP informs that the applicant

is involved in other two similar type of offences, which are registered in the year 2020 in which the applicant was already released on bail.

6. In view thereof, no case for grant of pre-arrest bail is made out. Application fails and the same is rejected.

(NITIN W. SAMBRE, J.)

Minal Parab