

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2933 OF 2022

Abhimanyu Arjun Gaikwad	...Applicant
Versus	
The State Of Maharashtra	...Respondent

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Mr. Rahul S. Kadam, Advocate for the Applicant.

Mr. N.B. Patil, APP for the Respondent – State.

Mr. Shrikant Sakore, PSI, MIDC, Bhosari Police Station.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	19th OCTOBER, 2022.

PER COURT:

1. The applicant is apprehending arrest in C.R. No. 393 of 2022, registered with Bhosari MIDC, Dist. Pimpri-Chinchwad Police Station for offence under Sections 324 of 307 r/w 34 of Indian Penal Code (for short 'IPC'). The first information report was lodged on 7th July, 2022, alleging that on 26th June, 2022.
2. The complainant was assaulted by unknown person by giving blow on his head with bottle. He was also assaulted with kick blows and told to leave his wife alone. The complainant managed to run away from the place of incident. While running he saw his wife and therefore inferred that the person assaulting him is the friend of his wife.
3. The offence under Section 324 of IPC was registered. It

appears that the injured was examined and thereafter, the charged under Section 307 of IPC was invoked.

4. I have perused the medical report. *Prima facie* I do not find that any case of made out invoking Section 307 of IPC. The complainant has stated that the friend of his wife is involved in the assault. However, his name is not mentioned. The FIR was lodged belatedly. There is no reason for lodging the FIR after the period of twelve days. Custodial interrogation of applicant is not necessary.

ORDER

- i. Anticipatory Bail Application No. 2933 of 2022 is allowed;
- ii. In the event of arrest of the applicant in connection with C.R. No. 393 of 2022, registered with Bhosari MIDC, Dist. Pimpri - Chinchwad Police Station, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- iii. The applicant is permitted to furnish cash bail in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.
- iv. The applicant shall attend the investigating officer on

26th, 27th and 28th October, 2022 between 11.00 a.m. to 1.00 noon and thereafter as and when called for fill filing of chargesheet and stay away from the wife of applicant.

v. Application stands disposed off.

(PRAKASH D. NAIK, J.)