

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3557 OF 2022**

Vishal @ Janglya Sham Satpute ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Aniket Nikam i/b Mr. Amit Icham for the Applicant.

Ms Veera Shinde, APP for the State.

Ms Girija Mhaske, API, Khadak Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 21 DECEMBER 2022

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 341 of 2022 registered at Khadak police station for the offences punishable under Sections 307, 387, 341, 143, 144, 147, 148, 149, 506 of the Indian Penal Code, under Section 4 read with 25 of the Arms Act and under Sections 37(1) read with 135 of Maharashtra Police Act.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the First Information Report.

4. According to the prosecution, the present applicant is a gang leader. On 24 November 2022, the co-accused in the present crime, who according to the prosecution are members of the gang of the present applicant, assaulted the complainant and attempted to kill him as he refused to pay Rs. 40,000/- to them.

5. The main allegations are against co-accused Umesh Waghmare. Even the alleged demand of money is by co-accused Mandar Khandagale. The alleged assault is also by the co-accused Umesh Waghmare and other co-accused and there are no allegations that the said assault was made at the instance of present applicant.

6. The learned APP submits that the present applicant is habitual offender and there are in all seven crimes against him. However, considering the facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

(i) Application is allowed.

(ii) In the event of arrest of the applicant in Crime No. 341 of 2022 registered at Khadak police station for the offences punishable under Sections 307, 387, 341, 143, 144, 147, 148, 149, 506 of the Indian Penal Code, under Section 4 read with 25 of the Arms Act and under Sections 37(1) read with 135 of Maharashtra Police Act, he shall be released on bail on furnishing PR bond in the

sum of Rs. 25,000/- with one or two sureties in the like amount.

(ii) The applicant shall attend the concerned police station on every alternate day between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(iv) The learned counsel for the applicant on instructions states that the applicant shall not seek relaxation of the above said condition till conclusion of trial.

(v) Needless to mention that observations made in this order are prima facie.

(N.R. BORKAR, J.)