

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

ANTICIPATORY BAIL APPLICATION NO. 1225 OF 2023

Shri. Prakash Rajaram Rane ... Applicant
v/s.
The State of Maharashtra and anr. Respondents

Mr. Imtiyaz Ahmed and Mr. I. Patel for the Applicant.
Mr. S.H. Yadav, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 26th APRIL, 2023.

P. C. :-

. This is an Application under section 438 of Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R.No.50/2023 registered with Devgad Police Station, Sindhudurg for offences punishable under sections 143, 148, 323, 324, 326, 504, 506 of the Indian Penal Code.

2. The aforesaid crime was registered pursuant to the FIR lodged by Sujay Dinkar Mestry. A perusal of the FIR prima facie reveals that on 28/03/2023, the Applicant and the co-accused had allegedly assaulted first informant at 01:00 p.m. and later at about 04:00 p.m. The weapon of the offence allegedly used by the Applicant is bamboo stick. It is stated that the first informant and the other witnesses have sustained simple injuries. The offence under section 326 is prima facie not made out. Considering the nature of the offence and the material in support thereof,

in my considered view, no case is made out for custodial interrogation.

Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.50/2023 registered with Devgad Police Station, Sindhudurg, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/-with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer on 01st and 02nd May, 2023 between 11:00 a.m. to 02:00 p.m.

(c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

3. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)