

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2029 OF 2023

Rahul Rajaram Sawant ...Applicant

vs.

The State of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.2203 OF 2023

Anil Krishna Kamble ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr. Yogesh Birajdar h/f. Mr. Abhijeet Pawar, for the Applicants
Mr. M.G. Patil, APP, for the Respondent/State.

CORAM : N. J. JAMADAR, J.

DATE : NOVEMBER 8, 2023

P.C.:

1. Heard the learned counsel for the applicants and the learned APP for the State.

2. This application is preferred seeking pre-arrest bail in connection with C.R. No.316 of 2023 registered at Jat police station for the offences punishable under sections 143, 147, 148, 323, 324, 327, 504, 506 and 427 read with 34 of Indian penal Code, 1860.

3. When the application was (ABA No. 2029 of 2023) listed before this Court on 24th July, 2023 this Court was persuaded to grant interim bail. In ABA No.2203 of 2023 this Court granted interim bail on 7th August, 2023 opining inter alia that the role

attributed to the applicant is that of assault to the informant.

4. The learned counsel for the applicants submitted that the applicants have appeared before the investigating officer and cooperated with the investigation. The learned counsel submitted that in respect of the very same occurrence C.R. No. 311 of 2023 was lodged by Swati Sawant, a member of the informant party.

5. It appears that in respect of one and the same occurrence two versions have been reported. It also seems two groups had a fight over the distribution of money to the members over the Bachat Gat. In the backdrop of the nature of accusation, the custodial interrogation of the applicants does not seem to be warranted. I am, therefore, impelled to make the orders of interim bail absolute.

6. The orders of interim bail dated 24th July, 2023 (ABA No. 2029 of 2023) and dated 7th August, 2023 (ABA No.2203 of 2023) are made absolute on the terms and conditions incorporated therein.

7. In addition the applicants shall attend Jat police station as and when directed.

8. The applicants shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the prosecution witnesses or any person acquainted with the facts of the case.

9. The applicants shall regularly attend the proceedings before the jurisdictional Court.

10. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Applications disposed.

(N. J. JAMADAR, J.)