

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

ANTICIPATORY BAIL APPLICATION NO. 347 OF 2023

Chandresh Harish Adhikari	..Applicant
VS.	
The State of Maharashtra	..Respondent

Milan Desai i/b T.R. Patel for the Applicant.

Mr. S. H. Yadav, APP for the State.

PSI Haribhau T. Bhosle, Navghar Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 3, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for pre-arrest bail by the applicant - Chandresh Harish Adhikari in connection with C.R. No.I-937 of 2022 dated 05/12/2022, registered with Navghar Police Station, under sections 143, 147, 149, 323, 326, 324, 504, 506 and 427 of the Indian Penal Code, 1860.
- 3.** The incident is dated 05/12/2022. It is the allegation of the complainant that 5 of the co-accused assaulted the complainant, his brother- Yash and the other 3 persons with fists and kick blows, wooden bamboo and wooden bat on

their head, back, hands and other parts of the body. The First Information Report narrates in detail the manner of the assault and the background. The complainant and other witnesses suffered grievous injuries. The allegation of the complainant is that the assault was at the instance of the applicant.

4. The FIR does not state that at the time when the assault took place, the applicant was present. The applicant is not the assailant. The role is that it was at his behest and a fall out of an earlier incident that the complainant and other are assaulted by the accused.

5. Learned APP submitted that there are as many as 4 C.Rs. Registered against the applicant of a similar nature. Learned counsel for the applicant on instructions submits that the applicant is willing to reside outside the jurisdiction of the Navghar Police Station. The statement is accepted. One of the assailant Ravi Dhur, has already been arrested. Considering the nature of the accusations, the custodial interrogation of the applicant is not necessary. Hence, the following order.

ORDER

(a) In the event of arrest, the applicant - Chandresh Harish Adhikari in connection with C.R. No. I-937 of 2022, registered with Navghar Police Station, shall be released on bail on furnishing P.R. Bond to the extent of Rs.15,000/- with one or more sureties in the like amount;

(b) The applicant shall report to the Investigating Officer on 07/02/2023, 08/02/2023 and 09/02/2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called;

(c) The applicant not to enter the jurisdiction of Navghar Police Station except for the purpose of reporting to Investigating Officer on the dates fixed and as and when called;

(d) The applicant to co-operate with the Investigating Officer;

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence;

(f) The applicant to furnish details of residential address and contact number to the Investigating Officer.

6. The application is disposed of.

(M. S. KARNIK, J.)