

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

ANTICIPATORY BAIL APPLICATION NO. 348 OF 2023

Dharmendra Mahendra Yadav

@ Hulchul Mahendra Yadav

..Applicant

VS.

The State of Maharashtra

..Respondent

Mr. Tushar Malvi i/b V.S.Tiwari, for the Applicant.

Ms. P. N. Dabholkar, APP for the State.

PSI Mr. A.T. Shirke, Antop Hill Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 9, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R. No.514 of 2021 dated 08/07/2021 registered with Antop Hill Police Station for offence punishable under sections 394, 324, 326, 323, 504, 34 of the Indian Penal Code, under sections 4 and 25 of the Arms Act and sections 38(1)(A), 135 of Maharashtra Police Act.

3. The allegation is that on 07/07/2021 at around 12:15 when the informant went to bring medicine for his mother, 3 accused started abusing the informant. One of the accused put his hand in the pocket of the informant and started taking informant's money. The co-accused took knife and stabbed on the head of the informant when he resisted. The other accused stabbed the informant from the front. The victim suffered simple injury. The role attributed to the applicant is that he was holding the hand of the informant. 2 accused who are assailants have since been released on bail as against them, investigation is complete. The charge-sheet is filed. The applicant is willing to co-operate with the investigation. Considering the role of the applicant and the fact that there is nothing to be recovered from him, the applicant can be granted the facility of pre-arrest bail. Hence, the following order.

ORDER

(a) The application is allowed.

(b) In the event of arrest of the applicant in connection with C.R.No.514 of 2021 dated 08/07/2021 registered with Antop Hill Police

Station, the applicant-Dharmendra Mahendra Yadav @ Hulchul Mahendra Yadav be released on bail on his furnishing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount;

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

(d) The applicant shall attend the investigating officer on 12th and 13th February 2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called for.

4. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)