

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO. 351 OF 2023**

Sunny Lahu Kaikadi ... Applicant

Versus

The State of Maharashtra and another ... Respondents

.....

Mr. Gaurav Parkar alongwith Ms. Priyanka Pandey for the Applicant.  
Ms. Veera Shinde, APP for the State.

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**CORAM : N.R. BORKAR, J.**

**DATED : 6 FEBRUARY 2023**

**P.C. :-**

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No.657 of 2022 registered at Panvel City Police Station, for the offences punishable under Sections 341, 307, 120-B, 504, 506 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident which took place on 14 November 2022, co-accused in the crime assaulted the

complainant at the instance of the present applicant by sharp weapon and beer bottle due to political rivalry.

5. The learned Counsel for the applicant submits that the brother of the applicant was murdered and in the said crime the complainant is one of the accused. It is submitted that admittedly the applicant was not present at the place of incident. It is submitted that there is no need of custodial interrogation as nothing is to be recovered at the instance of the applicant.

6. On the other hand, the learned APP for the State submits that the applicant is involved in serious crime of attempt to murder. It is further submitted that the present applicant is involved in five more crimes.

7. I have perused the first information report. The applicant was not present at the place of incident. Considering the fact that the complainant is one of the accused in crime relating to the murder of the applicant's brother, the possibility of false implication cannot be ruled out. I am therefore inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant - Sunny Lahu Kaikadi in Crime No.657 of 2022 registered at Panvel City Police Station, for the offences punishable under Sections 341, 307, 120-B, 504, 506 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the

sum of Rs.25,000/- with one or more sureties in the like amount, subject to payment of Rs.25,000/- by the applicant to the Tata Memorial Hospital, Parel, Mumbai.

(iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

( N.R. BORKAR, J. )

KANCHAN  
PRASHANT  
DHURI

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by KANCHAN  
PRASHANT  
DHURI  
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