

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

**ANTICIPATORY BAIL APPLICATION NO. 437 OF 2023**

Rahul alias Lalla Sanjay Kamble ... Applicant

Versus

The State of Maharashtra ... Respondent

**WITH  
INTERIM APPLICATION NO. 637 OF 2023**

.....

Ms. Pooja Agarwal for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

Ms. Mrunal Surana for the Intervenor.

.....

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

**DATED : 6 MARCH 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. 342 of 2022 registered at Mundhwa Police Station, for the offences punishable under Sections 307, 504, 506 r/w. 34 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 19 December 2022 the present applicant and other co-accused assaulted the complainant by iron rod etc. and attempted to kill

him due to previous rivalry.

5. The complainant has filed Affidavit wherein he has stated that the applicant was not present at the time of alleged incident.

6. Be that as it may, the alleged injuries sustained by the complainant are not attributed to the present applicant.

7. The learned APP submits that the present applicant is involved in 8 more crimes. However, considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicant on certain conditions. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Rahul alias Lalla Sanjay Kamble in Crime No. 342 of 2022 registered at Mundhwa Police Station, for the offences punishable under Sections 307, 504, 506 r/w. 34 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.

(iii) The applicant shall not enter into the limits of Pune Municipal Corporation, except to attend the dates before the trial Court till conclusion of trial.

(iv) Interim application for intervention is disposed of.

( N.R. BORKAR, J. )