

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 535 OF 2023**

Nagesh Sadanand Naidu ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Sahil Salvi alongwith Mr. Narendra Kalpoth for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 28 FEBRUARY 2023

P.C. :-

. 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. 74 of 2023 registered at Talegaon Dabhade Police Station, for the offences punishable under Sections 326, 394, 506 r/w. 34 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act, 1959 and Sections 37(1), 135 of the Maharashtra Police Act, 1951.

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 28 January 2023 the present applicant and other co-accused assaulted the complainant by koyta and attempted to kill him.

5. I have perused the F.I.R. Prima facie, the incident does not appear to be pre-meditated. No motive is attributed to the present applicant for the alleged assault. There are no other criminal antecedents. Considering the overall facts and circumstances of the case, I am 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 - Nagesh Sadanand Naidu in Crime No. 74 of 2023 registered at Talegaon Dabhade Police Station, for the offences punishable under Sections 326, 394, 506 r/w. 34 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act, 1959 and Sections 37(1), 135 of the Maharashtra Police Act, 1951, 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 complainant towards medical expenses.

(iii) The applicant shall pay the said amount of Rs.25,000/- to the complainant, through investigating officer.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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