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

ANTICIPATORY BAIL APPLICATION NO. 538 OF 2023

Nilesh Rameshwar Salve ..Applicant
VS.
The State of Maharashtra ..Respondent

Mr. Suryajeet P. Chavan, for the Applicant.
Mr. S. H. Yadav, APP for the State.
Mr. Jitendra Babu Kadam – PSI, Tilaknagar Police Station
present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 24, 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.83 of 2023 dated 30/01/2023 registered with Tilaknagar Police Station for offence punishable under sections 326, 504, 506 and 34 of the Indian Penal Code, 1860.
- 3.** It is alleged that the incident happened at around 5.30 a.m. on 30/01/2023. The complainant was sleeping under the Tilaknagar bridge along with his friend. The applicant

and another friend namely Chotu woke up the complainant and started demanding cigarette. The complainant responded that as the shop is closed, it is not possible for him to give cigarette. The applicant and his friend started abusing the complainant. The applicant's friend Chotu assaulted the complainant with a beer bottle on the back side of the complainant's head. The applicant's friend hit the complainant on a face with stick which was lying nearby. The complainant suffered injury on his lips. The injury is reported to be simple in nature. There is one criminal antecedent reported against the present applicant under section 307 at Chembur Police Station vide C.R. No. 31 of 2021. In my opinion, the custodial interrogation of the applicant is not necessary in the present case, however, the applicant must co-operate with the investigation. This application can be allowed by imposing some stringent conditions. 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. 83 of 2023 dated 30/01/2023 registered with Tilaknagar Police Station, the applicant-Nilesh Rameshwar Salve 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 enter the area of Chembur Police Station and Tilaknagar Police Station till further orders of the trial Court. Except for the purpose of reporting to the investigating officer, the applicant shall not enter the jurisdiction of these two police stations.

(d) 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;

(e) The applicant shall report to the investigating officer on 1st and 2nd March 2023 between 11.00 a.m. and 1.00 p.m, thereafter as and when called in any case, the applicant shall report to the investigating officer once in a month between 11.00 a.m. and 1.00 p.m. till the trial is over.

(f) The applicant shall co-operate with the investigation.

4. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)