

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 563 OF 2023

Sharad P. Garade ...Applicant
V/s.
State of Maharashtra ...Respondent

WITH
INTERIM APPLICATION NO. 871 OF 2023

Mr. Mithilesh Mishra i/b Mr. Zaid A. Qureshi for the Applicant.
Mr. P.H. Gaikwad-Patil, APP for the Respondent/State.
Mr. Vivek Joshi i/b Mr. Vikas Shivarkar for the
Complainant/Intervenor.

CORAM : N.R. BORKAR, J.
DATE : 08.03.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 112 of 2022 registered at Shirgaon-Parandwadi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 326, 352, 504 and 506 of the Indian Penal Code.
3. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and the learned counsel for the complainant/intervenor.
4. According to the prosecution, on the date of incident, which took place on 15 December 2022, the present applicant assaulted the complainant by iron road and attempted to kill him.

5. I have perused the first information report. *Prima facie*, the incident does not appear to be premeditated. There are conflicting injury certificates. Considering overall facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 112 of 2022 registered at Shirgaon-Parandwadi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 326, 352, 504 and 506 of the Indian Penal Code, the applicant be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

6. Interim Application No. 871 of 2023 for intervention is not on board. The same is taken on board.

7. In view of disposal of anticipatory bail application, the Interim Application for intervention is disposed of.

[N.R.BORKAR, J.]