

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 580 OF 2023

1] Bharat Eknath Narwade
2] Sachin Laxman Bhosale ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Ajay Kanawade for the Applicants.
Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 3 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 applicants are apprehending their arrest in Crime No. 32 of 2023 registered at Shirgaon Parandwadi Police Station, Pune for the offences punishable under Sections 394, 427 r/w. 34 of Indian Penal Code.

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

4. According to the prosecution, on the date of incident, which took place on 3 February 2023, the present applicants and other co-

accused had caused damage to the truck which the complainant was driving, assaulted him and took away Rs.20,000/- as the mirror of the car in which the applicants and other co-accused were travelling got damaged while they were trying to overtake his truck from wrong side.

5. Prima facie, the incident does not appear to be premeditated. There is no need of custodial interrogation as nothing is to be recovered at the instance of the applicants. In view of the order passed by this Court, the applicants have deposited the amount of Rs.30,000/- with the Tata Memorial Hospital and deposited Rs.20,000/- with the investigating officer for paying it to the complainant. Considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicants. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant No.1 - Bharat Eknath Narwade and applicant No.2 - Sachin Laxman Bhosale in Crime No. 32 of 2023 registered at Shirgaon Parandwadi Police Station, Pune for the offences punishable under Sections 394, 427 r/w. 34 of Indian Penal Code, they shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.
- (iii) The applicants 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.)