

Sayali Upasani

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

**ANTICIPATORY BAIL APPLICATION NO. 1140 OF 2023**

Sushilkumar Ratansingh Dhiwa ...Applicant

**Vs.**

The State of Maharashtra ...Respondent

Mr. T. Singh, for Applicant.

Mr. M. G. Patil, APP for State.

Mr. Rahul D. Patil, PSI, Ulhasnagar Police Station, Present.

Sushilkumar Ratansingh Dhiwa- applicant-in-person,  
Present.

**CORAM:- N. J. JAMADAR, J.**

**DATED:- 7<sup>th</sup> NOVEMBER, 2023**

**PC:-**

- 1) Heard the learned Counsel for the applicant and the learned APP for the State.
- 2) This application is preferred for pre-arrest bail in connection with C.R. No. 605 of 2023, registered with Ulhasnagar Police Station, Thane for the offences punishable under Sections 323, 324, 394, 342, 504 and 506 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
- 3) By an order dated 3<sup>rd</sup> May, 2023, this Court has granted interim bail to the applicant subject to certain terms and conditions.

- 4) The learned Counsel for the applicant submits that the applicant has thereafter appeared before the Investigating Officer as directed and co-operated with the investigation.
- 5) The learned APP disputes this position and asserts that the applicant has not furnished the whereabouts of the unknown assailants.
- 6) Having regard to the nature of the accusation and the fact that the first informant had sustained simple injuries, at this length of time, custodial interrogation of the applicant does not seem to be warranted.
- 7) I am, therefore, inclined to make the order of interim bail absolute.
- 8) The order of Interim Bail dated 3<sup>rd</sup> May, 2023 is made absolute on the terms and conditions incorporated therein.
- 9) The applicant shall henceforth appear before the Investigating Officer as and when directed.
- 10) The applicant shall regularly attend the proceedings before the jurisdictional Court.
- 11) The application stands disposed.
- 12) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

[N. J. JAMADAR, J.]