

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1219 OF 2023

Prasad Yallappa Bhandari
V/s.

...Applicant

State of Maharashtra

...Respondent.

Ms Pooja Agarwal a/w. Mr. Tushar Chavan and Mr. P.R. Chavan for the Applicant.

Mrs. Veera Shinde, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 26.04.2023.

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.384 of 2023 registered at Hadapsar Police Station, Pune for the offences punishable under Sections 143, 144, 145, 149, 308, 326, 323, 504, 506 of the Indian Penal Code, Section 4 read with 25 of Arms Act and Section 37(1) read with 135 of Maharashtra Police Act.
3. According to the prosecution, on the date of incident which took place on 5 March 2023, dispute arose between the complainant/injured and the present applicant on account of some trivial issue. It is alleged that the present applicant and other co-accused got enraged and assaulted to the complainant as well as to his friend Vikrant by stick and sharp weapon.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
5. The learned counsel for the applicant submits that the applicant is a student. It is submitted that there are no other criminal antecedents.
6. On the other hand, the learned APP for the respondent/ State submits that the applicant has assaulted the complainant on his head by stick. It is submitted that considering the nature of offence, the applicant may not be released on anticipatory bail.
7. I have perused the F.I.R. *Prima facie*, the incident does not appear to be premeditated. There are no other criminal antecedents. Considering the overall facts and circumstances, 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. 384 of 2023 registered at Hadapsar Police Station, Pune for the offences punishable under Sections 143, 144, 145, 149, 308, 326, 323, 504, 506 of the Indian Penal Code, Section 4 read with 25 of Arms Act and Section 37(1) read with 135 of Maharashtra Police Act, 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.

[N.R.BORKAR, J.]