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DATED : 10 JANUARY 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 205 of 2020 registered at Yerawada Police Station, Pune for the offences punishable under Sections 307, 385, 387, 324, 143, 147, 148, 149, 427 of Indian Penal Code, Sections 4, 25 of Arms Act, Sections 37(1), 135 of Maharashtra Police Act.

3. After arguing the matter, when this Court shown disinclination to grant anticipatory bail to the applicant, the learned

Counsel for the applicant submits that he be granted adjournment as his senior is going to argue the matter. Request for adjournment is rejected.

4. I have perused FIR. According to the complainant, on the date of alleged incident which took place on 6 March 2020 at about 10.00 p.m., the present applicant and other co-accused, who were armed with koyta, sword etc., assaulted him and attempted to kill him as he refused to pay extortion amount of Rs.1,00,000/- to co-accused Khannasing Kalyani. The complainant has specifically named the present applicant in the FIR as one of the assailants. The learned APP submits that the present applicant is habitual offender and is involved in 15 more crimes. Considering the facts and circumstances of the case and as the applicant is habitual offender, I am not inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

- (i) Application is rejected.
- (ii) In view of disposal of Anticipatory Bail Application, the Interim Application for modification of interim order does not survive and the same is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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