

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

ANTICIPATORY BAIL APPLICATION NO. 1849 OF 2023

Jitendra Ramesh Patil

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr. M. V. Thorat - Advocate for the Applicant

Mr. S. R. Agakrar- APP for the Respondent-State

API Govind Aralekar – Shil Daighar Police Station

CORAM : S. M. MODAK, J.

DATE : 28th JULY, 2023

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP. Investigating Officer is present.

2. Co-accused-Subhash is granted anticipatory bail on 15/06/2022 in Anticipatory bail application No. 1639 of 2023. The role of the present Applicant is similar. The said Subhash has assaulted with the help of hockey stick. Whereas the present Applicant has assaulted with the help of sword. There are two injured. One is informant Pradip Patil and another is Akhtar Nasir Shaikh. Doctor has opined that injuries are simple in nature. This is

observed by learned Additional Sessions Judge, Thane while refusing Anticipatory bail application to Subhash on 13/03/2023. These considerations do apply to present Applicant also.

3. Additional factors are quoted :-

- (i) Present Applicant is history sheeter and he has encroached upon land and inserted cabin there. These are not sufficient to deny him anticipatory bail.

4. Offence is with the Shil Daighar Police Station at C.R. No. 283 of 2022 under Sections 143, 148, 149, 326, 504 and 506 of the Indian Penal Code on the complaint of the Pradip Patil. So additional condition needs to be put. Hence the Order:-

ORDER

- (i) Anticipatory bail application is allowed.
- (ii) In case of arrest in connection with C.R. No. 283 of 2022 registered with Shil Daighar Police Station for the offence punishable under Sections 143, 148, 149, 326, 504 and 506 of the Indian Penal Code, the Applicant be released on furnishing Personal Bond and Surety Bond in sum of Rs. 25,000/-.
- (iii) Applicant is directed to give attendance to the Shil Daighar Police Station, on 04/08/2023, 11/08/2023 and

18/08/2023 from 10.00 a.m. to 12.00.

- (iv) Applicant shall not threaten the prosecution witnesses.
- (v) He is not allowed to enter the limits of the Thane Taluka except for giving attendance to the Police Station for one year.
- (vi) Applicant is directed to give alternate address of the residence to the concerned Police Station.

5. It is made clear that these are my *prima-facie* observations.

6. Anticipatory bail application is disposed of in the aforesaid terms.

7. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]