

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2302 OF 2023

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Prabhakar Ananta Bhamare & ors. ...Applicants
Versus
State of Maharashtra ...Respondent

Mr. S. R. Phanse, i/b Nilesh Navale, for the Applicants.
Mr. M. G. Patil, APP for the State/Respondent.
WPSI A. B. Patil, Padgha Police Station, Thane, present.

CORAM: N. J. JAMADAR, J.
DATED: 25th SEPTEMBER, 2023

PC:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No.304 of 2023 registered with Padgha Police Station, Thane, for the offences punishable under Sections 395, 384, 385, 389, 45, 324, 452, 323, 504 and 427 read with Section 34 of the Indian Penal Code, 1860 ("the Penal Code") and Sections 4 and 27 of the Arms Act, 1959.
3. By an order dated 21st August 2023, this Court had granted interim protection observing *inter alia* as under:

"3. The allegations against the applicants is that on 17th January, 2023, the applicants assaulted the

informant and committed robbery of a sum of Rs.2,00,000/-.

4. Mr. Phanse, the learned Counsel for the applicants invited attention of the Court to the FIR No. 37 of 2023, lodged by the applicant No. 6 on 20th January, 2023 alleging offences punishable under Section 326 of I.P.C., 1860 against the informant party. As a counter blast, informant party lodged the FIR on 28th April, 2023, urged Mr. Phanse.

5. At this stage, the delay assumes significance. The learned APP submitted that none of the injured has suffered any grievous injury.”

4. The learned Counsel for the applicants submits that the applicants have cooperated with the investigation and appeared before the Investigating Officer as directed. Having regard to the nature of the accusation and the reasons which weighed with this Court in granting interim protection, extracted above, the interim order deserves to be made absolute.

5. Hence, the following order:

: O R D E R :

(i) Order of interim bail dated 21st August, 2023, made absolute in the terms and conditions incorporated therein.

(ii) In addition, the applicants shall regularly attend the proceedings before the jurisdictional Court.

Application stands disposed.

[N. J. JAMADAR, J.]