

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2554 OF 2023

Akash Prakash Mhatre ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Nilesh Navale, for the Applicant
Smt. A.A. Takalkar, APP, for the Respondent/State.
Mr. S.B. Kadam, PSI, Padgha police station.

CORAM : N. J. JAMADAR, J.
DATE : DECEMBER 12, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. By an order dated 26th September, 2023 this Court had granted interim bail holding inter alia as under:-

3] By an order 21 August 2023 in ABA No.2302 of 2023 this Court had granted interim protection to the co-accused. The Court has noted that the cross-FIR No.37 of 2023 was lodged against the members of the informant party for an offence punishable under Section 326 of the Act on 20 January 2023 and the instant FIR came to be lodged on 28 April 2023.

4] The role attributed to the applicant is that of having attempted assault by means of sword. It does not appear

that any of the informant party suffered an injury by means of sword. The learned APP fairly submitted that none of the injured suffered any grievous injury.

3. The learned APP submits that the applicant has not regularly appeared before the investigating officer in terms of the interim order.

4. In view of the aforesaid statement, I deem it appropriate to make the order of interim bail absolute.

5. The order of interim bail dated 26th September, 2023 is made absolute on the terms and conditions incorporated therein.

6. In addition, the applicant shall appear before the investigating officer of Padgha police station on 20th and 21st December, 2023 in between 10 am to 1 pm and thereafter as and when directed till filing of the charge-sheet.

7. The applicant shall regularly attend the proceedings before the jurisdictional Court.

8. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Application disposed.

(N. J. JAMADAR, J.)