

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2905 OF 2022

Rohit Mahadu Gunjal ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Ashok Kumar Dubey alongwith Ms. Aarti Kushwaha and Mr. Anil Pandey instructed by SAVJ Law Solutions for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 MARCH 2023

P.C. :-

1. 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. 47 of 2022 registered at Pimpri Police Station, Pune for the offences punishable under Sections 308, 323, 504, 143, 147, 148, 149 of Indian Penal Code, Section 4 r/w. 25 of the Arms Act and Sections 37(1)(3) r/w. 135 of the Maharashtra Police Act.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. On 18 October 2022, this Court passed the following order :

“1. The applicant is seeking anticipatory bail in connection with C.R. No. 47 of 2022 registered with Pimpri-Chinchwad Police Station, Pune on 29.01.2022 for offences punishable under Sections 308, 323, 504, 143, 147, 148, 149 of the Indian Penal Code and Section 4 of Arms Act and Sections 37(1)(3) read with 135 of the Maharashtra Police Act.

2. It is alleged that the applicant and the co-accused were involved in assaulting the injured by sickle and iron rod. In respect to the same incident cross FIR has been registered at the instance of one of the accused. FIR was registered on 29.01.2022 in C.R. No. 48 of 2022 for offence punishable under Section 392, 427, 504, 506 of IPC and Section 4 & 25 of the Arms Act and Section 37(1) (3), 135 of Maharashtra Police Act.

3. Learned APP seeks time to take instructions. Stand over to 22.11.2022.

4. In the meantime, in the event of arrest of the applicant in C.R. No. 47 of 2022 registered with Pimpri-Chinchwad police station, the applicant be released on bail on executing PR bond in the sum of Rs. 20,000/- with one or more sureties in the like amount.”

5. It appears that injured has filed affidavit before the Sessions Court that he has no objection, if the applicant is granted anticipatory bail. Apart from it, there appears to be cross-FIR. Considering the overall facts and circumstances of the case, interim order passed by this Court dated 18 October 2022 is hereby confirmed. The Application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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