



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2837 OF 2023**

Sandip Bhaskar Bangar	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Chetan Deshmukh, for Applicant.
Mr. Shrikant H. Yadav, APP for State.
Mr. D.K.Thombare, PC Yeola Taluka Police Station, Nashik (Rural) present.

CORAM: N.J.JAMADAR, J.

DATE : 9 OCTOBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.99 of 2023 registered with Yeola Taluka Police Station for the offences punishable under Sections 452, 342, 504, 506, 143, 147, 148, 149 of the IPC and Sections 3 and 4 read with Section 25 of the Arms Act, 1959.
3. The first informant lodged a report with the allegations that on 26 February 2023, the applicant and co-accused barged into his house, abused and assaulted him. The Applicant – Sandip had pointed out a countrymade pistol at him. Co-accused Ravindra had threatened him by placing sword on his neck. The Applicant and the co-accused threatened the first informant with dire consequences if he came in their way. They stated that one Niket Patil was giving shelter to them and

nobody could touch them.

4. The learned Counsel for the Applicant submitted that the applicant had lodged a false FIR with a view to give counter blast to FIR 89 of 2023 registered by the co-accused Ravindra, brother of the applicant, for the offences punishable under Sections 143, 147, 149, 323, 363, 342, 504, 506 of IPC and Section 3 (25) of the Arms Act, 1959.

5. In fact, the said FIR was registered prior in point of time in respect of an occurrence dated 26 February 2023 at about 8.00 p.m. The instant FIR came to be lodged on 1 March 2023, with regard to the alleged occurrence in between 9.00 to 9.30 p.m. From the perusal of the allegations in the FIR, it becomes evident that the first informant claims that there was delay in lodging the FIR as he was arrested in the said FIR No.89 of 2023 and after he was released on bail, he approached the police and lodged the report.

6. Prima facie, two versions appear to have been reported in respect of one and the same occurrence. In the face of the material on record, I am inclined to exercise the discretion in favour of the Applicant while directing him to join in the investigation.

7. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Sandip Bhaskar

Bangar in connection with C.R.No.99 of 2023 registered with Yeola Taluka Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall co-operate with the investigation and report to Khadakpada Road Police Station on 18th, 19th and 20th October 2023 in between 10.00 a.m. to 1.00 p.m.

(iii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any of the prosecution witnesses or any of the persons acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The application stands disposed.

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

(N.J.JAMADAR, J.)