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

ANTICIPATORY BAIL APPLICATION NO. 3618 OF 2023

Swagat Shivaji Hake ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Rupesh Zade, a/w Priyanka Gupta, for the Applicant.

Ms. Anamika Malhotra, APP for the State/Respondent.

PSI Sunil Ugale, Shirur Police Station, Pune (R), present.

CORAM: N. J. JAMADAR, J.

DATED: 22nd DECEMBER, 2023

ORDER:-

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.914 of 2023, registered with Shirur Police Station, Pune, for the offences punishable under Sections 323, 324, 327 and 504 of Indian Penal Code, 1860 ("the Penal Code").

3. The learned Counsel for the applicant submitted by an order dated 9th November, 2023 in ABA/3206/2023 this Court had granted pre-arrest bail to the co-accused.

4. The learned APP resisted the prayer inviting the attention of the Court to the observations of paragraph 6 of

the said order. The learned APP submitted that the applicant was the principal assailant. Therefore, the applicant does not deserve the exercise of the discretion.

5. This Court had noted that the injured had suffered simple injuries and the final injury certificate indicate that there was no serious trauma.

6. The learned APP submitted that there are antecedents of the applicant which indicate that the applicant has been indulging in identical offences. It seems that during year 2019 to 2022 three bodily offences have been registered against the applicant. In the aforesaid view of the matter, it may be expedient to impose stringent conditions.

7. Hence the following order:

: O R D E R :

- (i) In the event of arrest of the applicant in CR No.914 of 2023, registered with Shirur Police Station, Pune, 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 cooperate with the investigation and attend Shirur Police Station on 4th 5th and 6th,

January, 2024 in between 10.00 am. to 1.00 pm. and, thereafter, as and when directed.

- (iii) The applicant shall not enter the limits of Shirur Police Station for the period of six months from today except for the purpose of attending police station and the proceedings before the Court.
- (iv) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any of the persons acquainted with the facts of the case.
- (iv) It is clarified that these *prima facie* observations are confined to determine entitlement to pre-arrest bail only.

Application stands disposed.

[N. J. JAMADAR, J.]