

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

ANTICIPATORY BAIL APPLICATION NO.937 OF 2024

Saqlain Mohammed Salim Salar Applicant
Versus
The State of Maharashtra Respondent

Mr. Ritesh Thobde, Advocate a/w. Ankita Rai, Zubi Ansari,
Changdev Shingade for the Applicant.

Ms. Rajeshree Newton, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 08th APRIL, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.557/2016 registered at MIDC Police Station, Solapur under sections 307, 326, 327, 324, 120-B, 143, 147, 148, 149, 504, 506 of IPC, under Sections 4(25) of the Arms Act and under Section 135 of the Maharashtra Police Act.

2. Heard Mr. Ritesh Thobde, learned counsel for the Applicant and Ms. Rajeshree Newton, learned APP for the Respondent-State.

3. The FIR is lodged by one Sarafraj Jahagirdar in respect of an incident which had taken place on 4.11.2016 at 8.30 p.m.. The gist of the FIR is that the present Applicant along with other seven named accused and 25-30 unknown accused came at the spot where the informant and others were standing. They were carrying weapons like iron rod, sickle, stick and baseball bat. There are allegations that the accused assaulted the informant, his cousin Kadir and friend Imran. The allegations against the present Applicant are that he assaulted Kadir with iron rod on his face. On these allegations, the FIR is lodged.

4. The investigation was carried out. The charge-sheet was filed. The Applicant was not available during investigation. The other accused faced the trial. They were acquitted because the injured eye witnesses had turned hostile.

5. Learned counsel for the Applicant made some submissions on merits of the matter and relied on the judgment of acquittal of the other accused. However, learned

APP pointed out that the Applicant was absconding since 2016 and the trial Court had issued proclamation against him. Learned counsel submitted that he was not made aware of this situation by the Applicant.

6. Considering the submission made by learned APP, learned counsel for the Applicant does not press this Application. Therefore, the Application is disposed of as not pressed.

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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