

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

Anticipatory Bail Application No.1511 of 2024

1. Shiva Mali @ Shiva Bhimrao Male

Age -25 Years, Occ- Service

Ambedkar Nagar, Kastur Park,

Shimpoli, Shivaji Nagar, Borivali,

Mumbai-400091.

2. Aakash Jambule alias Aakash

Manik Jambule

Age – 23 Years, Occ-Service

Room No.2, Prabhakar Vaiti Chawl,

LT Road, Vazira Naka, Borivali,

Mumbai-400091.

... Applicants.

Vs.

State of Maharashtra

(at the instance of Borivali

Police Station)

... Respondent.

Mr Sunil Jadhav i/by Pankaj Jadhav for applicants.

Ms Rashmi Tendulkar, APP for respondent.

API Pawar, Borivali Police Station is present.

Coram: R. N. Laddha, J.

Date : 14 June 2024.

P.C. :-

Heard Mr Sunil Jadhav, the learned Counsel for the applicants and Ms Rashmi Tendulkar, learned APP for the State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.220 of 2024 registered at Borivali Police Station, Mumbai, for the offences punishable under Sections 143, 145, 149, 353,332,308, 504, 506, 323, 324, 160 of the IPC r/w Sections 37(1) and 135 of the Maharashtra Police Act.

3. It is alleged that the applicants along with others formed an unlawful assembly and engaged in a fight with other group. A police head constable, who was on duty at the time, attempted to intervene a fight between two groups. During this intervention, the said constable was pushed by the applicants and others, which led to a button of his uniform being broken.

4. At the outset, the learned APP, on instructions, states that the investigation has concluded and the charge sheet has been prepared. There is no need for custodial interrogation of the applicants. She does not oppose to grant anticipatory bail. Since the custodial interrogation of the applicants are not

necessary for the investigation and the chargesheet has already been prepared, the application is allowed in following terms:

- (i) In the event, the applicants are arrested, in connection with CR No.220 of 2024, registered at Borivali Police Station, Mumbai, they shall be released on bail on furnishing a PR Bond of Rs.25,000/- each with one or more sureties in the like amount.
- (ii) The applicants themselves or through any other person shall not indulge in activities that would tamper with the evidence or influence the witnesses.

5. The application stands disposed of accordingly.

[R. N. Laddha, J.]