

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO.1722 OF 2024

Mangesh Vitthal Bhorekar ... Applicant  
**Vs.**  
State of Maharashtra ... Respondent

Mr. Ayush Pasbola a/w. Ms. Mrunal Bhide for Applicant.  
Mr. Balraj B. Kulkarni, APP for Respondent-State.  
Mr. A. D. Padalkar, PSI, Velha Police Station, Pune (Rural).

**CORAM : MANISH PITALE, J.**  
**DATE : JULY 01, 2024**

**P.C. :**

. Heard Mr. Pasbola, learned counsel appearing for the applicant and Mr. Kulkarni, learned APP appearing for the respondent - State.

2. The applicant apprehends arrest in connection with FIR No.0053 of 2024 dated 31.05.2024 registered at Velha Police Station, District - Pune (Rural), for offences under Sections 143, 146, 147, 149, 307, 504 and 506 of the Indian Penal Code, 1860 (IPC).

3. Having heard the learned counsel, this Court is inclined to grant interim relief, while keeping the present application pending, for the following reasons:

- a. The role attributed to the applicant is that, he was present at the time of the incident and allegedly claimed that he had on earlier occasions also, taken possession of lands and that he would be taking possession of the subject land from the informant;
- b. There is no allegation of the applicant having caused injuries to the daughter of the informant;

- c. There is, at exhibit-D, copy of a non-cognizable offence reported against the informant. Co-accused Sambhaji Khopade is the complainant therein and he has specifically alleged against the informant that on 29.05.2024 i.e. one day prior to the incident in respect of which the present FIR has been registered, the informant had obstructed the co-accused person from using a tractor on the subject land;
  - d. Copy of a civil proceeding is placed at exhibit-F to the application, which indicates that a relative of the informant has filed a civil suit praying for injunction and for an order restraining the defendants therein from disturbing his possession. This indicates the backdrop in which the incidents of 29.05.2024 and 30.05.2024 appear to have taken place.
4. The Sessions Court, while rejecting the application for anticipatory bail, has specifically recorded that the applicant has criminal antecedents. The learned APP has also referred to three other cases in which the applicant is arraigned as accused.
5. It is submitted on behalf of the applicant that in one of those cases, the applicant has been acquitted.
6. This Court is of the opinion that further material shall be placed on record by the applicant as regards acquittal in one of the cases. But, for the present, considering the aforementioned reasons, this Court is inclined to grant interim relief with a specific direction to the applicant to co-operate with the investigation.
7. In view of the above, the following interim order is passed:-
- A. Till the next date, in the event the applicant is arrested in

connection with FIR No.0053 of 2024 dated 31.05.2024 registered at Velha Police Station, District - Pune (Rural), he shall be released on furnishing PR Bond of Rs.50,000/- [Rupees Fifty Thousand only] with one or two sureties in the like amount;

- B. The applicant shall remain present before the investigating officer between 10:00 a.m. and 12 noon on 03.07.2024 and 04.07.2024 and thereafter, as and when called by the investigating officer. He shall co-operate with the investigation;
- C. The applicant shall not influence the informant, witness or any person concerned with the case and he shall not tamper with the evidence.

8. Needless to say, violation of any of the aforesaid conditions may result in this order being recalled.

9. List for further consideration on 19.07.2024.

**(MANISH PITALE, J.)**

*Minal Parab*