

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1790 OF 2024

Pandurang Machindra Bhingare	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Ms. Manisha Deokar for Applicant.

Mr. Kiran Chandrakant Shinde, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : JULY 11, 2024

P.C. :

1. Heard Ms. Deokar, learned counsel for the applicant and Mr. Shinde, learned APP for the respondent-State.

2. The applicant apprehends arrest in connection with FIR No.0122 of 2024 dated 25.02.2024 registered at Pandharpur Taluka Police Station, District - Solapur (Rural), for offences under Sections 143, 147, 149, 353, 379, 504 and 506 of the Indian Penal Code, 1860 (IPC); under Sections 4 and 25 of the Arms Act, 1959 as also under Sections 3 and 7 of the Prevention of Damage to Public Property Act, 1984.

3. The statement of the informant, who is a circle officer / inspector shows that when a team of the circle officer and others, including the Talathi reached the spot of the incident, certain individuals involved in the offence of illegal sand mining, upon being confronted, started assaulting the team with stones etc. Thereafter, the accused persons ran away from the spot. It is pertinent to note that the applicant is specifically named in the statement leading to registration of the FIR.

4. The learned counsel for the applicant submits that some of the accused persons have been granted regular bail. Some have been granted

anticipatory bail, while some of the accused persons are enjoying interim order passed by this Court, concerning the very same FIR. On that basis, it is submitted that this Court may consider granting relief to the applicant.

5. On the other hand, the learned APP vehemently opposed the prayer in the present application, submitting that the applicant has been specifically named, which is a distinguishing feature and further that the applicant has criminal antecedents, being involved at least in four other similar cases, thereby showing that he does not deserve any indulgence.

6. This Court has perused the material on record, particularly the statement leading to registration of the FIR. Serious allegations have been made as regards the informant, who is a circle inspector and accompanying government officials being assaulted by the accused persons by means of stones. The applicant is specifically named as one of the persons involved in the offence. He has been identified by the *Talathi* and local residents. The record also shows that the applicant is an accused in at least four other such cases, where similar offences are registered against him. Such a person does not deserve any indulgence. As the applicant's case is distinguishable from that of the other accused persons, he cannot claim parity.

7. In view of the above, the application is dismissed.

(MANISH PITALE, J.)