

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

ANTICIPATORY BAIL APPLICATION NO. 2150 OF 2024

Shankarrao Anantrao Shinde

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. V.V. Dushing a/w Mr. Paras Yadav and R.B. Thombare, for the Applicant.
- Mr. Mayur S. Sonavane, APP for Respondent – State.
- Mr. Raviraj P., for original complainant (through V.C.).
- Mr. Santosh Jadhav, API, Vadgaon Maval Police Station.

CORAM : MANISH PITALE, J.

DATE : 21st August, 2024.

P. C. :

1. Heard Mr. Dushing, learned counsel for the applicant and Mr. Sonavane, learned APP for the respondent – State.

2. This is an application seeking anticipatory bail in connection with FIR registered as far back as on 20.01.2021 at Police Station Vadgaon Maval, District Pune, bearing FIR No.0012 of 2021, for offences under Sections 307, 143, 147, 148, 149, 427, 504 and 506 of the Indian Penal Code (IPC) and Section 135 of the Maharashtra Police Act.

3. The record shows that the applicant moved first anticipatory bail application in the year 2021 itself, which was dismissed by an order dated 12.02.2021, passed by the Sessions Court. Thereafter, the applicant moved

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this Court seeking anticipatory bail by moving Anticipatory Bail Application No.2148 of 2021, which was dismissed on merits on 12.12.2022.

4. Thereafter, the applicant moved a further anticipatory bail application before the Sessions Court in the year 2022, which eventually was dismissed by an order dated 18.07.2024 passed by the Sessions Court.

5. The learned APP has brought to the notice of this Court that in the meanwhile the Investigating Officer was constrained to initiate appropriate proceedings as the applicant was absconding. The documents placed before this Court indicate that warrant was issued on 13.09.2023 and an order under Section 82 of the Code of Criminal Procedure, was passed on 27.10.2023, declaring the applicant as proclaimed offender.

6. In such a situation, when the FIR was registered, as far back as on 20.01.2021, and the applicant has remained absconding while in the meanwhile moving repeated applications for anticipatory bail, this Court is not inclined to entertain present application at all.

7. There is substance in the contention raised by the learned APP by placing reliance on order passed by the Supreme Court in the cases **Sanatan Pandey Vs. State of Uttar Pradesh and Anr.** (order dated 07.10.2021, passed in **Special Leave Petition (Criminal) No.7358 of 2021**), and order dated

29.08.2023, passed in the case of State of Haryana Vs. Dharamraj (SLP (Cri) No.2256 of 2022), wherein the Supreme Court in similar circumstances found that when the applicant had been declared a proclaimed offender and he was absconding, there was no question for entertaining the application for anticipatory bail.

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

(MANISH PITALE, J.)