

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

Anticipatory Bail Application No.2195 of 2024

Ganesh Kashinath Bhoir

Age: 20 years, Occ: Education,

Residing at Mouje Talegaon,

Taluka Shahapur, District-Thane

... Applicant

v/s.

The State of Maharashtra

(Through Shahapur Police Station)

... Respondent

....

Mr Pandit Kasar, for the Applicant.

Mr MG Patil, APP, for Respondent State.

PSI Mahadev Jadhav, Shahapur Police Station, Thane Gramin, present.

....

Coram : R.N. Laddha, J.

Date : 7 August 2024

P.C. :

Heard Mr Pandit Kasar, the learned Counsel appearing on behalf of the applicant, and Mr MG Patil, the learned Additional Public Prosecutor representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.152 of 2023 registered at Shahapur Police Station, Thane, for the offences punishable under Sections 326, 324, 323, 143, 147, 148, 149 and 504 of the Indian Penal Code (IPC).

3. It is the case of the prosecution that the applicant and the co-accused formed an unlawful assembly and assaulted the informant and the witness using wooden logs, an iron rod, a chopper, and stones.

4. Mr Pandit Kasar, learned Counsel for the applicant submits that cross FIRs were lodged in connection with the incident. The complainant falsely accused the applicant in response to the FIR filed on the applicant's behalf. It is contended that bail has been granted to one of the co-accused, and a charge sheet has been filed. In the cross FIR, anticipatory bail was granted to one of the accused. The dispute centers around the ancestral property of the applicant and the informant.

5. Mr MG Patil, learned APP, submits that a charge sheet has been filed against the co-accused, reserving the right to file the charge sheet against the present applicant. The applicant assaulted the informant and the witness, Gurunath, using wooden log. The weapon used by the applicant in the crime has not yet been recovered.

6. Upon perusing the records, it appears that the investigation is in progress. The eyewitnesses have made specific allegations against the applicant, accusing him of assaulting both the

informant and the witness with a wooden log. The witness, Gurunath, sustained grievous injuries. The weapon allegedly used by the informant has not been recovered yet. There is, thus, *prima facie*, material to show the involvement of the applicant in commission of the crime. The custodial interrogation of the applicant would be necessary for further investigation.

7. In view of the above, the application stands rejected.

[R.N. Laddha, J.]