

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

Anticipatory Bail Application No.2394 of 2024

Ashish Anand Parab Applicant.
Vs.
The State of Maharashtra Respondent.

Mr Santosh Sonawane for the applicant.
Ms Supriya Kak, APP for Respondent/State.
HC RB Ratambe, Vithalwadi Police Station, is present.

Coram : R.N.Laddha, J.

Date : 28 August 2024.

P.C. :

I heard Mr Santosh Sonawane, the learned Counsel appearing on behalf of the applicant, and Ms Supriya Kak, 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.0396 of 2024, registered with Vithhalwadi Police Station, for offences punishable under Sections 307, 504, 506(2) of the Indian Penal Code and Sections 4, 25 of the Arms Act.

3. The applicant had applied for anticipatory bail before the

Sessions Court; however, it was denied by an order dated 9 August 2024. The Sessions Court observed that the investigation was still underway and that sufficient material was on record to suggest the applicant's involvement in the crime.

4. Mr Santosh Sonawane, the learned Counsel for the applicant, submits that there was no intention in committing the crime. At the time of the alleged incident, the applicant was not present on the spot. The informant sustained simple injuries; therefore, the offence u/s 307 of the IPC is not made out. The informant was discharged from the hospital. Furthermore, no CCTV footage shows the applicant's involvement in the crime. The applicant is ready and willing to cooperate with the investigation.

5. Ms Supriya Kak, the learned APP representing respondent/State, submits that the investigation is in progress and the weapon, sword, used in the crime by the applicant is yet to be recovered. Furthermore, the eyewitnesses' statements clearly implicate the applicant in the present crime.

6. This Court has appreciated the rival contentions and perused the material on record.

7. Upon perusing the records, it appears that the applicant mounted an assault on the informant's head using a sword, and

while warding off the blow, he sustained injuries to his hand also. The weapon allegedly used by the applicant is yet to be recovered. The investigation is at the nascent stage. Furthermore, the applicant has criminal antecedents of a similar nature. In the circumstances, the learned APP is justified in contending that it is not a fit case for anticipatory bail and that the custodial interrogation of the applicant is necessary. As a result, the application stands rejected.

[R. N. Laddha,J.]