

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

Anticipatory Bail Application No.2755 of 2024

Abhijeet Kiran Khandare
Adult, Aged about 27 years,
R/at: Ibrahim Naik Chawl, Room
No.1, Netaji Road, Deepak Darbar,
Ulhasnagar-421004,
Dist.Thane.

... Applicant/accused.

Vs.

The State of Maharashtra
(Through Sr PI Central
Police Station, Thane.)

.... Respondent.

Mr Kishin Poptani, Advocate for the applicant.
Ms Supriya Kak, APP for Respondent/State.
PSI Ajinkya Dhonde, Central Police Station, Ulhasnagar.

**Coram : R.N.Laddha, J.
Date : 8 October 2024.**

P.C. :

Heard Mr Kishin Poptani, the learned Counsel for 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.611 of 2023, registered at Central Police Station, Thane, for offences punishable under Sections 326, 325, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code

and Sections 37(3) and 135 of the Maharashtra Police Act.

3. It is the case of the prosecution that on October 8, 2023, around 8:30 a.m. at Ulhasnagar-3, when the informant asked co-accused Vishal Sanju Sable to repay his money, Vishal became agitated. He, along with his brother-in-law and a group of 10 to 15 unidentified individuals, formed an unlawful assembly and attacked the informant. They also assaulted the informant's father and brother, causing them injuries.

4. Mr Kishin Poptani, the learned Counsel for the applicant, submits that the FIR was filed against most of the unknown persons. The four accused persons have already been arrested and released on bail. After about 52 days of the incident, Section 326 IPC was invoked. No specific role has been attributed to the applicant. Apart from the statement of the co-accused, there is nothing on record to implicate the applicant in the present crime.

5. Ms Supriya Kak, the learned APP, submits that since the date of incident, the applicant is absconding. The applicant along with the co-accused assaulted the informant, his father and brother.

6. Upon perusing the records, it appears that the investigation is almost complete. There is no specific role attributed to the applicant. Four accused persons have already been arrested and

released on bail. The injuries are simple in nature. The applicant has not been named in the FIR. The apprehension of the prosecution that the applicant may tamper with the evidence or influence the witnesses can be taken care of by imposing appropriate conditions. In these circumstances, this Court is inclined to allow the present application. Accordingly, the application is allowed in the following terms :

- (i) In the event, the applicant is arrested, in connection with CR No.611 of 2023, registered at Central Police Station, Thane, he shall be released on bail, on furnishing a PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (ii) The applicant shall attend the concerned police station as and when required.
- (iii) The applicant himself or through any other persons shall not indulge in any activity that would tamper with the evidence or influence the witnesses.

7. The application stands disposed of accordingly.

[R. N. Laddha,J.]