

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

Anticipatory Bail Application No.2787 of 2024

Ritesh @ Sonya Nilesh Shinde
Age-26 years, Occ: Service,
R/o Room No.27, Akash Colony,
Chawl No.11, Section 36,
Ulhasnagar 421005, Dist.Thane,
Maharashtra.

... Applicant.

V/s.

The State of Maharashtra
Through Hill Line Police Station,
In connection with CR No.0611/2024

... Respondent.

Mr Makrand M Kale for the applicant.
Mr Arfan Sait, APP, for the respondent/ State.
PSI SG Deshmukh, Hill Line Police Station.

**Coram: R.N. Laddha, J.
Date: 23 October 2024.**

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No 0611 of 2024, registered at Hill Line Police Station, Thane, for offences punishable under Sections 118(1), 329(4), 125(a), 189(2), 324(2), 308(4), 190, 191(2) , and 352 of the Bhartiya Nagarik Suraksha Sanhita, 2023.

2. The prosecution alleges that on 4 August 2024, the

applicant, along with co-accused, formed an unlawful assembly and assaulted the informant and his brother.

3. Mr Makrand M Kale, the learned Counsel appearing on behalf of the applicant, submits that the applicant has been falsely implicated in this crime. No specific role is attributed to the applicant. The investigation is nearing completion, and nothing is to be recovered or discovered from the applicant.

4. Mr Arfan Sait, the learned Additional Public Prosecutor representing the respondent/State, submits that the applicant, along with the co-accused, formed an unlawful assembly and assaulted the informant and his brother. The informant sustained grievous injuries and the CCTV footage shows the applicant's involvement in the crime. The injuries sustained by the informant are grievous. Furthermore, the applicant has criminal antecedents and committed the present crime while out on bail.

5. Upon perusing the records, it appears that the investigation is at a nascent stage. The incident was captured on CCTV cameras, which *prima facie* indicate the applicant's involvement in the crime. The CCTV footage clearly shows the applicant participating in the criminal act. The informant has sustained grievous injuries in the incident. Additionally, the

applicant has criminal antecedents, and while out on bail, his involvement in the present crime has come to light. Granting pre-arrest bail at this stage may impede the ongoing investigation.

6. Given the above, this Court is not inclined to grant anticipatory bail to the applicant. As a result, the application stands rejected.

[R.N. Laddha, J.]