

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2857 OF 2024

Abhishek Santosh More ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Amit Icham a/w. Mr. Chaitanya Purankar for Applicant.
Mr. Mayur S. Sonavane, APP for Respondent-State.
Mr. Maruti Medewad, PSI, Bhosari Police Station, Pimpri Chinchwad.

CORAM : MANISH PITALE, J.
DATE : OCTOBER 23, 2024

P.C. :

. Heard Mr. Icham, learned counsel for the applicant and Mr.Sonavane, learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0280 of 2024 dated 29.04.2024 registered with Bhosari Police Station, District - Pimpri Chinchwad, for offences under Sections 336, 395 and 427 of the Indian Penal Code, 1860 (IPC); Sections 37(1) and 135 of the Maharashtra Police Act, 1951; as also Sections 3 and 7 of the Criminal Law (Amendment) Act, 2013.

3. As per the statement of the informant leading to registration of the FIR, on the date and time of the incident, the applicant was present and he along with the other accused persons threatened the informant in the backdrop of the dispute that had arisen and thereafter the applicant used a wooden stick to cause damage to the vehicle of the informant.

4. The learned APP submits that the role of the applicant is evident from the statement of the informant.

5. Even if the allegations made in the statement of the informant are

to be considered, the allegation against the applicant appears to be that he was present at the date and time of the incident and thereafter, he joined the other accused persons in damaging the vehicle of the informant by using a wooden stick. Considering the said allegations, this Court is of the opinion that so long as the applicant is ready to appear before the investigating officer and co-operate with the investigation, the present application can be allowed. Accordingly, the application is allowed in the following terms:-

- A. In the event the applicant is arrested in connection with FIR No.0280 of 2024 dated 29.04.2024 registered with Bhosari Police Station, District - Pimpri Chinchwad, he shall be released on bail on furnishing PR Bond of Rs.25,000/- with one or two sureties in the like amount;
- B. The applicant shall remain present before the investigating officer on 25.10.2024 between 10:00 a.m. and 12 noon and thereafter, as and when called by the investigating officer. He shall co-operate with the investigation;
- C. The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

6. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

7. The application is disposed of.

(MANISH PITALE, J.)