

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

Criminal Anticipatory Bail Application No. 3290 of 2024

Rajat Pradeep Singh
Age 28 years, Occ. Service,
R/o. Rajaram Singh Chawl,
03, Vivekanand Nagar, Datta
Mandir Road, Vakola Bridge,
Santacruz (East), Mumbai - 400 055.

...Applicant

Vs.

The State of Maharashtra
At the instance of Sr. Inspector of
Police, Vakola Police Station,
Santacruz (East), Mumbai – 400 055.
Through Public Prosecutor

...Respondent

Mr Taukeer Siddique i/by Mr Abhishek Mishra, for the
applicant.

Mr Arfan Sait, APP, for the respondent – State.

API Shivaji Shinde, Vakola Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.

Date: 4 December 2024

P.C.:

Mr Taukeer Siddique, the learned Counsel appearing on
behalf of the applicant and Mr Arfan Sait, the learned
Additional Public Prosecutor representing the respondent/
State.

2. By this application, the applicant seeks pre-arrest bail in

connection with CR No.989 of 2024, registered at Vakola Police Station, Mumbai, for offences punishable under Sections 118(2), 189(2), 190, 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that the applicant and the co-accused formed an unlawful assembly and assaulted the first informant and his uncle by wooden stick, stumps and paver block.

4. The learned Counsel appearing on behalf of the applicant, submits that cross FIRs were registered in connection with the incident. It is contended that the present complaint filed by the informant against the applicant was in retaliation to the FIR lodged by the applicant. The learned Counsel further pointed out that during the incident the informant and his mother were also assaulted. It is asserted by the learned Counsel that custodial interrogation of the applicant is not necessary.

5. On the contrary, the learned Additional Public Prosecutor representing the respondent/ State, submits that the offence is grave and serious nature. The applicant assaulted the first informant with a wooden stump, causing grievous injuries. The incident was recorded on CCTV, providing clear evidence of applicant's involvement. The applicant is explicitly named in

the FIR, and the investigation has confirmed his active participation in the crime. Furthermore, the weapon allegedly used by the applicant is yet to be recovered.

6. Upon perusing the records, it appears that the applicant was captured on CCTV camera during the incident. This visual evidence is further supported by eyewitnesses statements. The applicant is explicitly named in the FIR. The weapon allegedly used by the applicant has not yet been recovered. *Prima facie*, there is sufficient material to indicate the applicant's involvement in the crime. In these circumstances, custodial interrogation of the applicant would be necessary. Accordingly, the application stands rejected.

[R.N. Laddha, J.]