

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

ANTICIPATORY BAIL APPLICATION NO. 3416 OF 2024

Ganesh @ Rajesh Sambhaji Chavan	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Rupesh Atul Zade for the Applicant.
Mr. Sagar R. Agarkar, APP for Respondent-State.
Mr. Rauf, API, Indapur Police Station, Dist. Pune.

**CORAM: MANISH PITALE, J.
DATE : 16th DECEMBER 2024**

P.C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No. 0088 of 2022 dated 8th February 2022 registered at Indapur Police Station, Dist. Pune, for offences under Sections 307, 327, 324, 143, 147, 148, 149, 452 and 504 of the Indian Penal Code, 1860 (IPC).

3. In the present case, the FIR was registered against the applicant and another co-accused persons, with regard to an incident that occurred as far back as on 7th February 2022. The description of the incident shows that specific allegation is made against the applicant of having assaulted the victim by means of a

koyta.

4. The Sessions Court, while rejecting the anticipatory bail application of the applicant, specifically observed that two earlier anticipatory bail applications had been rejected by the Sessions Court and yet, the applicant had remained absconding.

5. The aforesaid fact could not be denied by the learned counsel appearing for the applicant, thereby showing that three anticipatory bail applications were filed by the applicant and all three were rejected. The FIR was registered as far back as on 8th February 2022. Charge-sheet has been filed and as against the applicant under Section 299 of the Code of Criminal Procedure, 1973 (Cr.P.C.).

6. The applicant has remained absconding and he has not joined the investigation. Despite two earlier anticipatory bail applications being rejected, he filed a third anticipatory bail application before the Sessions Court and now he has chosen to approach this Court after almost three years of the incident, wherein specific overt act and use of weapon is alleged against him.

7. The Supreme Court in the case of ***G. R. Ananda Babu v/s. The State of Tamil Nadu & Anr.*** (order dated 28th January 2021 passed in Criminal Appeal, arising out of SLP (Crl.) No. 213 of 2021) has held that successive anticipatory bail applications ought

not to be entertained when the accused is absconding and not cooperating with the investigation, particularly when earlier anticipatory bail applications have been rejected by speaking orders.

8. This is one of such case, where the said position clarified by the Supreme Court, ought to be applied with full force.

9. No case is made out for granting anticipatory bail. The application is dismissed.

MANISH PITALE, J.