

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3547 OF 2024

Rajdeep Prakash Mulik

.. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Ms. Pooja A. Dongre, Advocate for Applicant.
- Mr. Balraj B. Kulkarni, APP for Respondent – the State of Maharashtra.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 03, 2025

P.C.:

1. Heard Ms. Dongre, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent – the State of Maharashtra.

2. Applicant seeks Anticipatory Bail in view of Crime No.I-1310-2024 registered for offences punishable under Sections 117(3), 118(1), 117(2), 115(2), 351(2) and 352 of the Bhartiya Nyaya Sanhita, 2023 (under Sections 324, 325, 323, 506 and 504 of the Indian Penal Code, 1860). Accusation is assault by Applicant by means of wooden bamboo stick on head of First Informant and biting on account of intervening in the quarrel.

3. The date of the incident is 26.11.2024. Till date the alleged weapon i.e. bamboo stick has not been recovered. There is no medical report placed on record. *Prima facie* it is seen that treatment was given on the following day of the date of incident in the Municipal

dispensary and OPD papers of which are appended from page Nos.44 onwards. The photographs are also appended of the alleged injuries from page Nos.38 to 41 onwards. The X-Ray report is appended at page No.48 which clearly shows that there is no trauma in X-Ray of the affected regions which has been placed on record. The medical report also states that pain is near the abdomen.

4. In view of the above, and the fact that there are no criminal antecedents of the Applicant which has been duly recorded by the Sessions Court while rejecting the previous bail Application, copy of which is appended at page No.25 and Applicant having permanent residential address in Mumbai, I am inclined to grant the Application.

5. Anticipatory Bail Application stands allowed in terms of prayer clause (b), however subject to the following terms and conditions:-

- (i) In the event of the arrest, Applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- (ii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 noon in the first instance and as and when called for by the Investigating Officer alongwith the requisite

information / documents;

- (iii) Applicant shall furnish particulars of his address and mobile number to the Investigating Officer within one week from today;
- (iv) Applicant shall not misuse his liberty in any manner or influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence;
- (v) It is directed that Applicant shall extend complete cooperate in the investigation of the instant case;
- (vi) Applicant shall not make any attempts to re-associate with the victim in any manner either through any device or in-person; and
- (vii) Any infraction of the above conditions shall entail revocation of this order.

6. Parties to act on a server copy of this order.

7. Anticipatory Bail Application stands allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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