



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

ANTICIPATORY BAIL APPLICATION NO. 94 OF 2025

Rohit Ramsevak Singh

...Applicant

V/s

State Of Maharashtra

...Respondent

...

Adv. Aditya Rai a/w Divakar Rai, Nitin Rai, Mayur Sosa, Saurabh Tamhankar, Raj Tamhankar, Vayukumar Tiwari, i/b Ramchandra Rane.

Adv. Nitin B. Patil, APP for the State.

API Rahul Pol, Vakola Police Station.

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CORAM : RAJESH S. PATIL, J.

DATED : 13th FEBRUARY, 2025

P.C.:

1. The Applicant has filed the present Application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita 2023 for apprehending the arrest of the Applicant in C. R. No. 989 of 2024 registered with Vakola Police Station, Mumbai for the offences punishable under Section 118(2), 189(2), 190, 191(2) and 191(3) of the Bhartiya Nyaya Sanhita, 2023.

2. It the case of the prosecution that the present Anticipatory Bail Application arises out of an FIR which has been

lodged against six individuals. The present Applicant is Accused No. 2, who had earlier filed an Anticipatory Bail Application in the Sessions Court which was rejected. He thereafter moved Anticipatory Bail Application in this Court and after the parties were heard, he sought leave to withdraw the Anticipatory Bail Application and the Anticipatory Bail Application is accordingly withdrawn. Thereafter, he was again filed an Anticipatory Bail Application in the Sessions Court which has been rejected and now the present Anticipatory Bail Application before this Court has been filed. As regards Accused Nos. 1 and 3, both of them have appeared before the Trial Court and have been granted a regular bail. As regards the Accused No. 4, his bail Application was rejected by the a Sessions Court and by this Court. A Special Leave to Appeal filed by Accused No. 4 before the Hon'ble Supreme Court, notices have been issued to the Respondents by order dated 20th December, 2024 and protection has been granted by way of not to arrest him, subject to co-operation with the investigation.

3. The learned APP submits that there is no co-operation from the Accused person. Only once, Accused Nos. 5 and 6 attended the police station for the purpose of recording their

statements. It is submitted that there is no change in circumstances therefore, the present Anticipatory Bail Application would not be maintainable. He further submitted that totally three stumps were used to assault the informant, his mother and his uncle. Out of which only one stump has been recovered and two more stumps yet to be recovered. The CCTV footage clearly shows that the present Applicant had behaved aggressively, and was the first person who started using the stumps to hit the Informant. Therefore, the present Application should be rejected.

4. Mr. Rai, learned Counsel for the Applicant submits that the paver block was used by Respondent No. 1 as per the allegation pleaded in the FIR. The rest of the Accused to the FIR, had used stumps to hit the Informant. One of the Accused i.e. Rajat has been protected by the Hon'ble Supreme Court by the order dated 20th December, 2024 of the Hon'ble Supreme Court. Two of the Accused i.e. Prafful Sing and Govind Sing who have alleged to have been used stumps, have been granted Anticipatory Bail by the Sessions Court by order dated 4th December, 2024. According to him the Applicant also alleged to have been used the stump therefore, he should also liable to grant the Anticipatory

Bail.

5. I have heard the counsel for both the parties and have considered the fact that there are no antecedents reported against the present Applicant. It has been alleged to used a cricket stump to hit the Informant on his hand. Two more Accused who have also alleged to have used the cricket stump to hit the informant, have been granted Anticipatory Bail by the Sessions Court by order dated 4th December, 2024. The Hon'ble Supreme Court by its order dated 20th December, 2024 has granted interim protection to Accused No. 4 who alleged to have been used stump to hit the Informant. The allegation against the accused No. 1 is that he used paver block to hit the Informant who has been granted regular bail by the Sessions Court. The Applicant is of young age. In such a situation, there is a case made out by the present Applicant to grant him the interim protection. Hence, I pass the following order.

Order

- (i) Anticipatory Bail Application is allowed.
- (ii) In the event of his arrest in connection with Cr. No.989/2024, dated 03/11/2024 registered with Vakola Police Station, Mumbai, till filing of the

chargesheet, the Applicant be released on bail on her executing PR Bond in the sum of Rs. 30,000 (Thirty Thousand Only) with one or two sureties in the like amount.

(iii) The Applicant shall attend the concerned Police Station as and when called by the Investigating Officer.

(iv) The Applicant and his surety shall provide their respective mobile numbers, e-mail address and documents pertaining to the place of residence.

(v) The Applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses or any other person concerned with the case.

6. **Anticipatory bail Application is accordingly disposed of.**

(RAJESH S. PATIL, J.)