



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.599 OF 2025

SHUBHAM DEEPAK HIREGAUD

...APPLICANT

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Amit Icham for the Applicant.

Adv. Avinash A. Naik, APP for the State.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 5, 2025

P.C.:

1. The applicant has filed the present application for grant of pre-arrest bail under Section 482 of the Gharatiaya Nagarik Surakhsa Sanhita, 2023 (BNSS) for enlarging him on bail in C. R. No. 445/2024 registered at Swargate Police Station, Pune for the offences punishable under Sections 118(2) and 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. As per the complaint lodged, an FIR has been filed. The name of the present applicant is not mentioned in the FIR. In the supplementary statement, the name of the present applicant has been mentioned. As per the complaint, there was some kind of dispute between the first informant and his friends on 30 October 2024 at night

23.45 hrs. which happened in front of the house of one of the accused. Due to which female member of the house came out of her house and told them to reduce their volume. On which there were altercation between the said female family member and the first informant and his friends. It appears that there after the informant left the place with his friends. However, after few minutes, the informant and his friends were attacked. Due to which they sustained injury. Hence, the present FIR has been lodge.

3. Mr. Icham, learned counsel for the applicant submits that the alleged weapon used in the incident has already been recovered by the police. Two of the accused persons have been arrested on 12 January, 2025 and as per his knowledge, they have been granted regular bail. He submits that as far as the present applicant is concerned, he has no major role to play in the alleged incident. There is no antecedents reported against the present applicant and he is doing odd job of labour. He submits that he is ready to co-operate with the police and will attend the police station as and when called for.

4. The learned APP submits that though there are no antecedents reported against the present there were two bikes used in the alleged incident and the same are still to be recovered by the police. The assault was by iron rod on the head of the informant due to which he had sustained grievous injuries due to which he was admitted in

hospital and was discharged after two days. Therefore, the custody of the present applicant would be necessary in order to make proper investigation.

5. I have heard both the sides and have gone through the FIR and the documents placed on record. According to me, the present applicant has not played a major role in the alleged offence. Two of the accused have been arrested and the weapon used in the alleged incident has been recovered by the police. As far as the bikes involved in the incident are concerned, the present applicant is not said to be the owner of the said bikes. The applicant does not have any criminal antecedent. Therefore, according to me, the case is made out to grant pre-arrest bail to the present applicant. Hence, I pass the following order :

ORDER

(i) **Anticipatory Bail Application is allowed.**

(ii) The applicant be released on bail in C.R. No. 445/2024 registered with Swargate Police Station, Pune City on furnishing a PR bond of the sum of Rs. 20,000/- (Twenty thousand only) and one or two sureties in the like amount to the satisfaction of the jurisdictional Court.

(iii) The applicant shall attend the police station on 12 March 2025 and 13 March 2025 between 11.00 am to 1.00 pm and thereafter as and when called for.

(iv) The applicant shall not tamper with the prosecution evidence. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any police officer.

(v) The applicant shall furnish his contact number, E-mail id and residential address to the Investigating Officer and if there is any change he shall inform the police station.

6. **Anticipatory Bail Application is accordingly disposed off as allowed.**

(RAJESH S. PATIL, J.)