



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

ANTICIPATORY BAIL APPLICATION NO. 771/2025

ROSHAN RADHESHYAM VISHWAKARMA ..APPLICANT
VS
STATE OF MAHARASHTRA ..RESPONDENT

Mr. Lavkush Sharma for applicant.
Mr. Anand Shalgaonkar, APP for State.
PSI Ankush Gaikwad, Samta Nagar Police Station.

CORAM : RAJESH S. PATIL, J.

DATE : MARCH 20, 2025.

P.C. :

1. This application is filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in connection with the First Information Report (FIR) No.10/2025 registered with the Samta Nagar Police Station, Mumbai, for the offence punishable under Sections 118(2), 118(2), 115(2), 351, 352, 189(2), 191(2), 191(3), 190, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. It is alleged in the complaint which is a part of the FIR that on 31/12/2024, there was a quarrel between the complainant and one Omprakash Yadav on the point of parking of bike on the public road.

On 3/1/2025, Omprakash Yadav along with his sons and relatives assaulted the informant. It is alleged that Vishnu assaulted the informant by means of iron rod thereby injuring the elbow and the palm of the informant. The informant was taken to the hospital and thereafter, the FIR has been lodged.

3. Omprakash Yadav has already been granted bail by the Sessions Court. Vishnu Yadav has been granted pre-arrest bail by this Court, as per the order dated 12/03/2025.

4. As far as the present applicant is concerned, his name has been included in the second remand application. The supplementary statement now states that five persons, carrying iron rods, assaulted the informant.

5. The learned APP submitted that in order to complete the investigation the custody of the present applicant would be necessary.

6. After hearing both the sides and after considering the FIR, it seems that the injury to the informant is not of a grievous nature. The injury is only to the left elbow and to the palm of the informant. Therefore, *prima facie*, as of today, suffice would be the purpose, if the applicant is directed to attend the concerned police station in order to record his statement for the purpose of investigation. The

physical presence of the present applicant is not necessary for the purpose of interrogation. Hence, case is made out to grant pre-arrest bail to the present applicant.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with FIR No. 10/2025 registered with the Samta Nagar Police Station, Mumbai, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.30,000/- with one or two sureties of the like amount.

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

(d) The applicant shall not contact the complainant, his family members and the witnesses.

(e) The applicant shall furnish details of his residential address, contact numbers and email address to the Investigating Officer.

(f) The applicant shall attend the concerned police station on 25/3/2025, 26/3/2025 and 27/3/2025 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called for.

(g) It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)