



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION 897 OF 2025

VIVEK SANTOSH LAHANE

...APPLICANT

VS

THE STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Raju Suryawanshi for the Applicant.

Adv. Ajay S. Patil, APP for the Respondent State.

PSI Vinod Shinde, Kasara Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : 9 APRIL 2025

P.C.:

1. Applicant has filed anticipatory bail application under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Crime no. I-175/2024 registered for the offences punishable under sections 352, 351(2), 324(4), 324(5), 191(3), 191(2), 190, 189(2), 118(1), 115(2), & 109 of Bharatiya Nyaya Sanhita, 2023 with Kasara Police Station.

2. Based on the complaint filed, an FIR has been lodged. The name of the present applicant is not mentioned in the FIR. Only by way of supplementary statement, the name of the present applicant has been mentioned.

3. The learned counsel for the applicant submits that the applicant is 19 years old student of Polytechnic College, Studying in second year of Civil Engineering. There are no antecedents reported against the present applicant. The applicant is staying very near the site where the alleged offence has occurred. The applicant has nothing to do with the crime which seems to be occurred due to the love affair between the sister of Nikhil Darane and one Parshuram Hindole. The employer of Parshuram was hit by knife and wooden sticks. It is nobody's case that the present applicant had used any kind of weapons to hit the victims. The applicant is ready to co-operate with police. Therefore, the custody of the present applicant is not necessary.

4. The learned APP submits that the investigation is at preliminary stage. If the present applicant is granted pre-arrest bail there is likelihood that he will tamper with the evidence and pressurize the witnesses, so also, he will create hurdles for the investigation to be completed. Therefore, the custody of the present applicant is necessary.

5. I have heard the counsel for both the sides and have gone through the documents on record including the FIR.

6. In the FIR the name of the present applicant has not been mentioned by the complainant. Only by way of supplementary statement, the name of the present applicant has been cropped up.

There are no antecedents reported against the present applicant. He is a student of Civil Engineering. It is nobody's case that the present applicant has used the weapon for committing the crime. According to me, at this stage, I am convinced that the custody of the present applicant is not necessary. Hence, I pass the following order.

ORDER

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

(b) In the event of arrest in connection with C.R.No.175/2024 registered with Kasara Police Station, 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 attend and meet the investigating officer of the concerned police station on 17 April 2025 and 19 April 2025 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called upon to do so.

(d) 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 the Court or any Police Officer and further, the applicant shall not tamper with the evidence in any manner whatsoever.

(e) The applicant shall furnish the details of his

residential address, contact number and email address to the Investigating Officer.

7. **This anticipatory bail application is disposed off as allowed.**

(RAJESH S. PATIL, J.)