



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 955/2025

ROHIT HARIPRASAD YADAV
VS
STATE OF MAHARASHTRA

...APPLICANT

...RESPONDENT

...
Adv. Jash B. Vyas for the Applicant.
Adv. Supriya Kak, APP for the Respondent State.
PSI Gawade, Boisar Police Station.

...

CORAM : RAJESH S. PATIL, J.
DATED : APRIL 9, 2025

P.C.:

1. This application is filed by the accused for anticipatory bail under Section 482 of Cr.PC. in Crime No. 02/2025 of Boisar Police Station for offence punishable under Section 189(2), 191(2), 190, 118(1), 115, 352 and 351(2) of BNS.

2. The present applicant has been arraigned as accused no. 4 in the FIR No. 2/2025. The allegations in the FIR are mostly against the accused nos. 3, 4 and 5. Accused nos. 3 and 5 have been arrested and granted regular bail. The present applicant is accused no. 4 and is shown as absconding. In the earlier orders passed by this Court on 6 March 2025 and 24 March 2025, the co-accused nos. 1 and 2 were granted pre-arrest bail. In the FIR, the major role is shown that of the

present applicant.

3. The learned counsel for the applicant submits that the applicant is ready to co-operate with the police. The co-accused persons have been granted pre-arrest bail. Hence, the application of the present applicant should also be granted.

4. The learned APP submits that there are at least five antecedents reported against the present applicant. There was also an order of externment passed earlier for a period of one year against the present applicant. She submits that in the offence, iron rod and wooden sticks have been used by accused nos. 3, 5 and the present applicant-accused no.4. The said weapons are still to be recovered. Therefore, the custody of the present applicant is necessary.

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

6. The present applicant according to me, seeks parity with that of accused nos. 1 and 2, who were granted pre-arrest bail. As per the FIR, major role has been played by accused nos. 3, 4 and 5 by using iron rod and wooden sticks in order to commit the crime. Accused nos. 3 and 5 have been arrested and granted regular bail. As regards the present applicant, who is accused no.4, he has been absconding till now. Earlier, there was an externment order passed against him. The present

applicant is the person, who has used the alleged weapons which are still to be recovered. Taking into consideration the conduct of the present applicant, the physical presence of the present applicant for interrogation is necessary for the completion of the investigation. Moreover, there is a possibility of the applicant to pressurize and threaten the witnesses and is likely to tamper with the evidence. According to me, no case is made out to grant protection to the present applicant. Hence, **the anticipatory bail application stands rejected and is disposed of accordingly.**

(RAJESH S. PATIL, J.)