

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

Anticipatory Bail Application No. 962 of 2025

Aniket Rajendra Chavhan

Age 23 years, Occ. Student,

R/at. Sr. No.100/101, Behind

Ratna Hospital, Ramoshiwadi,

Senapati Bapat Road,

Shivajinagar, Pune – 411 016.

... Applicant

versus

The State of Maharashtra

(Through Chaturshringi Police

Station, Dist.Pune)

...Respondent

Mr Harshawardhan Pawar, for the Applicant.

Mr Prashant Jadhav, APP, for Respondent / State.

API Dadaraje Pawar, Chaturshringi Police Station, Pune City.

Coram: R.N. Laddha, J.

Date: 14 July 2025

P.C.:

. By this application, the applicant seeks pre-arrest bail in connection with CR No.93 of 2025, registered at Chaturshringi Police Station, Pune City, for offences punishable under Sections 309(6) and 352 of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution alleges that on 15 February 2025, around 1:00 a.m., the informant confronted the applicant and co-accused regarding a disturbance. In response, the accused assaulted the informant with punches and kicks. The informant was then dragged into an autorickshaw, where co-accused Aniket Ghodke struck the informant on the head with a stone. Furthermore, when the informant attempted to photograph them, they snatched his mobile phone and fled the scene on motorcycles.

3. Mr Harshawardhan Pawar, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the applicant has been falsely implicated in the crime. As per the allegations in the FIR, the applicant's role is limited to allegedly assaulting the informant with fist and kick blows, and the applicant has not used any weapon. The learned Counsel submits that the mobile phone and the weapon allegedly used in the crime have already been recovered, and all the co-accused have been released on bail. There is nothing to be recovered or discovered from the applicant, and the applicant is ready to abide by any conditions imposed by this Court if released on bail.

4. Mr Prashant Jadhav, the learned Additional Public

Prosecutor representing the respondent/ State, opposes the applicant's request for pre-arrest bail and contends that the applicant, along with the co-accused, in a brazen act of violence, assaulted the informant and stole his mobile phone. On instructions from the investigating officer, the learned APP submits that the investigation has concluded, and a charge sheet has been filed against the co-accused. However, he expresses concern about potential evidence tampering and witness influence if the applicant is released on bail.

5. Upon perusing the records, and in particular, the contents of the FIR, it appears that the allegations against the applicant are that he allegedly assaulted the informant by inflicting blows with fists and kicks and physically restrained the informant, thereby facilitating the co-accused in snatching the informant's mobile phone. However, the transcript of the CCTV footage of the incident indicates that the applicant was merely a passer-by and did not participate in the alleged act. It is brought to the attention of this Court that both the informant's mobile phone and the alleged weapon used in the crime have already been recovered by the investigating agency. The learned APP does not dispute the fact that the investigation has been completed and that a charge sheet has been filed. The co-accused, against whom similar or graver allegations are made

have already been enlarged on bail. Nothing is to be recovered or discovered from the applicant. In the circumstances, this Court deems it fit to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.93 of 2025, registered at Chaturshrungi Police Station, Pune City, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant shall attend the concerned Police Station as and when required by the investigating officer.
- (iii) The applicant, himself or through any other person, shall not indulge in any activities that may tamper with the evidence or influence witnesses.

6. The application stands disposed of accordingly.

[R.N. Laddha, J.]