

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

ANTICIPATORY BAIL APPLICATION NO. 1110 OF 2025

Shivam Surendra Yadav	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Adv. Shubham Mishra i/b. Adv. Luvkush Sharma, Advocate for the applicant.

Ms. Rutuja Ambekar, APP for the State.

Gaikwad, PSI Samta Nagar Police station present.

CORAM : RAJESH S. PATIL, J.

DATED : 8 MAY 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. There is no specific allegations against the present applicant in the complaint. It is alleged in the complaint which is a part of the FIR that on 31 December 2024, there was a quarrel between the applicant and one Omprakash Yadav on the point of parking of bike on the public road. On 3 January 2025, Omprakash Yadav along with his sons and relatives assaulted the informant. It is alleged that the present applicant

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. The name of the present applicant has cropped up after the statement of Sanjeev Yadav was recorded on 5 January 2025. wherein he has named that the present applicant (Shivam Yadav) also was present while assaulting the first informant. By my order dated 12 March 2025 and 20 March 2025, I have granted pre-arrest bail of application of accused-Vishnu Omprakash Yadav and Roshan Radheshyam Vishwakarma.

4. 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 applicants 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 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 furnish details of his residential address, contact numbers and email address to the Investigating Officer.

(e) The applicant shall attend the concerned police station on 14 May 2025, 15 May 2025 and 16 May 2025 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called for.

(f) 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.

5. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

6. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)