

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

Anticipatory Bail Application No.1213 of 2025

Pranay Dilip Mahadik
Age 26, Occupation : Labour,
Residing at Bhoi Ali,
Near Paud Grampanchayat,
Taluka Mulshi, District Pune.

... Applicant

versus

State of Maharashtra
(Police Inspector, Paud
Police Station, Pune)

... Respondent

Mr Bhushan Raut, a/w Mr Bhooshan Kokar, for the applicant.
Mr Pankaj Deokar, APP, for respondent/ State.
API Kamble, Paud Police Station, Pune Rural, is present.

**Coram: R.N. Laddha, J.
Date: 17 June 2025**

P.C.:

Heard Mr Bhujbal Raut, the learned Counsel appearing on behalf of the applicant, and Mr Pankaj Deokar, the learned Additional Public Prosecutor representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.44 of 2021, registered

at Paud Police Station, Pune, for offences punishable under Sections 307, 143, 147, 149, 323, 326, 504, 506, 109, 120B of the Indian Penal Code, and Sections 27 read with 4 of the Arms Act, 1959, and Sections 37(1) read with 135 of the Maharashtra Police Act, 1951.

3. The prosecution contends that the applicant, along with others, formed an unlawful assembly with the intent to commit violence. Acting in furtherance of their common objective, the group launched a physical assault on the informant and his associates. During the course of the attack, the assailants employed a sword in addition to using their fists and feet to inflict injuries. The applicant is specifically accused of targeting one of the victims, Akshay Kadu, whom he assaulted by repeatedly punching and kicking. Furthermore, it is alleged that the applicant verbally threatened to kill Akshay Kadu.

4. The learned Counsel appearing for the applicant contends that the applicant has been falsely implicated in the crime and is not named in the FIR. As alleged, the applicant has not used any weapons. The investigation has concluded, culminating in the filing of a charge sheet, and nothing is to be recovered or discovered from the applicant. Given this, the learned Counsel submits that the applicant's custody is unnecessary.

Furthermore, the applicant has no criminal antecedents and is fully prepared to comply with any conditions that this Court imposes.

5. The learned Additional Public Prosecutor representing the respondent/ State opposes the applicant's plea for pre-arrest bail, emphasising the gravity and seriousness of the offence. However, the learned APP concedes that the investigation has reached its conclusion and that a charge sheet has been duly filed. He expresses concern that if the applicant is granted anticipatory bail, there is a significant risk that he might tamper with evidence or influence witnesses, thereby undermining the integrity of the judicial process.

6. This Court has given anxious consideration to the submissions canvassed across the Bar and perused the records. The allegations against the applicant pertain to an alleged incident where he purportedly assaulted Akshay Kadu with fist and kick blows. Notably, the applicant has not been accused of using a weapon. Furthermore, he was not named in the FIR but was later implicated based on the statement provided by Akshay Shinde. Additionally, the learned APP has fairly acknowledged that the investigation has concluded, and a charge sheet has been filed. There is nothing to be recovered or discovered from

the applicant, and as such, his custody is unwarranted. To address the prosecution's apprehensions regarding potential evidence tampering and witness influence, appropriate conditions can be imposed. In light of these considerations, 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.44 of 2021, registered at Paud Police Station, Pune, 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, himself or through any other person, shall not indulge in any activity that may tamper with the evidence or influence witnesses.

(iii) The applicant shall regularly attend and cooperate with the trial Court for the expeditious disposal of the case.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)