

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

Anticipatory Bail Application No.1935 of 2025

Arjunsingh @ Vinay Sohansingh
Labana
Age: 32 yrs, Occ: service
R/at BK No.664, Room No.105,
near Jhulelal Trust School,
Ulhasnagar 421 002, Dist. Thane

2. Nitesh Bijender Rathi
Age: 32 yrs, Occ: service
R/at BK No.20, Room No.12,
Forward Line, near Valmik Mandir,
Ulhasnagar 421 002 Dist. Thane. ... Applicants.
Vs.

The State of Maharashtra
(through Ulhasnagar Police
Station, Ulhasnagar, Thane) ... Respondent.

Mr Ganesh Gole a/w Mr Ateet Shirodkar, Kunjan
Makwana, Mr Bhavin Jain for the applicants.
Mr Anand Shalgaonkar, APP for the respondent / State.
PSI Ranjit Walake Ulhasnagar Police Station.

Coram : R.N.Laddha, J.

Date : 16 July 2025.

P.C. :

By this application, the applicants seek pre-arrest bail

in connection with CR No.416 of 2025, registered at Ulhasnagar Police Station, Thane, for offences punishable under Sections 118(1), 352, 115(2), 189(2), 189(4), 190, 191(1), 191(2), 191(3) of the Bharatiya Nyaya Sanhita (BNS), 2023.

2. The First Information Report was lodged by Raju Mansingh Labana, who alleged that on 24 April 2025, at about 4:00 p.m., the applicants, along with their associates, assaulted Pawan and Dhanraj Guher by punching and kicking them. It is further alleged that the applicants and their accomplices subsequently began throwing stones. It is also claimed that the co-accused Vikram attacked the informant with the knife.

3. The learned Counsel appearing on behalf of the applicants submits that the co-accused had lodged an FIR on 24 April 2025, the same date as the alleged incident, against the informant /accused, specifically alleging that he was assaulted with a knife. In contrast, the present FIR was registered only on 26 April 2025, after a delay of two days, during which the informant was already in police custody. The learned Counsel further points out that, pursuant to the

FIR lodged by the co-accused concerning the same incident, a criminal case was initiated against the informant and his associates and the informant was subsequently remanded to police custody. It is while in such custody that the informant proceeded to lodge the present FIR against the applicants and others. The learned Counsel also submits that the injuries claimed to have been sustained by the informant are of a simple nature. He contends that the investigation in the present case is complete, and nothing is to be recovered or discovered from the applicant. Attention is also drawn to the remand report dated 1 May 2025, which records that the co-accused Vikram sustained knife injuries inflicted by the informant and his associates.

4. On the other hand, the learned Additional Public Prosecutor representing the respondent/ State, submits that the applicants and their associates were involved in the assault upon the informant and others and also resorted to pelting stones. He submits that applicant No.1 has a criminal background, and applicant No.2 was captured on CCTV footage while pelting stones. However, the learned APP fairly acknowledges that the investigation in the present crime is complete and the charge sheet is ready will

be filed shortly. Furthermore, the learned APP states that the applicant's custodial interrogation is not necessary and nothing is to be recovered or discovered from the applicant. He also concedes that there was a delay of two days in lodging the FIR by the informant, which remains unexplained.

5. Upon perusing the records, it appears that the co-accused Vikram @ Vicky Prakash Ujjenwal, has already been granted anticipatory bail by this Court vide order dated 30 June 2025. The record further shows that there is a noticeable delay in lodging of the FIR, which was registered on 26 April 2025, despite the alleged incident having taken place on 24 April 2025. The FIR was registered at a point in time when the informant was already in police custody, pursuant to a cross FIR lodged against him by the co-accused Vikram @ Vicky Prakash Ujjenwal. Moreover, the nature of the injury claimed to have been sustained by the informant appears, on the face of it, to be simple. The CCTV footage available on record prima facie supports applicant's version of events, indicating that the informant and his associates were the initial aggressors in the altercation and the informant had, in fact, assaulted the co-

accused Vicky with a knife. Furthermore, the investigation in the present matter, has been concluded, and the charge sheet is stated to be ready for filing. In view of the above circumstances, there appears to be no necessity for applicant's custodial interrogation or for any recovery at this stage.

6. In light of the foregoing circumstances, this Court deems it fit to exercise its discretion in favour of the applicants. Hence, the following order:

ORDER

(i) In the event of the applicants' arrest in connection with CR No.416 of 2025, registered at Ulhasnagar Police Station, Thane, they shall be released on bail upon executing a PR Bond of Rs.25,000/- each and furnishing one or more sureties in the like amount.

(ii) The applicants shall attend the concerned Police Station as and when required by the investigating officer till

filing of the charge sheet.

(iii) The applicants, themselves or through any other person, shall not indulge in any activity that may tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

[R. N. Laddha, J.]