

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

Anticipatory Bail Application No. 2139 of 2025

Narendra Nandkumar Jagtap
Age 29 years, Occ. Service,
R/o. Shivshakti B 1, 11th Floor,
1102, Dharmaveer Nagar,
Thane West, Dist. Thane,
State – Maharashtra.

... Applicant

versus

The State of Maharashtra
Through Chitalsar Police Station,
in C.R. No.961 of 2024.

...Respondent

Mr Vinod Utekar a/w Ms Ketki Dandekar, for the Applicant.
Mr M G Patil, for the Respondent / State.
PSI A A Jagtap, Chitalsar Police Station, Thane City, is present.

Coram: R.N. Laddha, J.
Date: 31 July 2025

P.C.:

This is an application for pre-arrest bail filed by the applicant, who apprehends arrest in connection with CR No.961 of 2024, registered at Chitalsar, Manpada Police Station, Thane city, for offences punishable under Sections 126(2), 109, and 49 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. According to the prosecution, the incident occurred in the night of 21 November 2024, around 00:40 a.m.. It is alleged that the informant's son, accompanied by his friends, was riding a motorcycle when they were intercepted by the co-accused. This confrontation allegedly stemmed from a prior incident involving the damage or vandalism of the applicant's motorcycle. In retaliation, the applicant in collusion with the co-accused, is said to have devised a plan to eliminate the informant's son. Pursuant to this conspiracy, the co-accused allegedly launched a physical attack using wooden sticks, inflicting injuries upon the victim.

3. The learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. He submits that no role has been attributed to the applicant in the FIR. The allegations against him are devoid of merit. The applicant has filed a non-cognisable complaint against the victim and his friends for vandalising his bike. The learned Counsel further submits that the investigation has concluded, nothing is to be recovered or discovered from the applicant, and a charge sheet has been filed. The co-accused, who have a much more serious role, have already been released on bail. The applicant is ready to abide by any conditions imposed by this court if granted pre-

arrest bail.

4. The learned Additional Public Prosecutor representing the respondent/ State, opposing the applicant's plea for pre-arrest bail, contends that the offence is of a serious nature. He submits that the applicant was in contact with the co-accused, who assaulted the informant. There are eyewitnesses to the incident. The learned APP, on instructions, further submits that a charge sheet has been filed against the co-accused. Nothing is to be recovered or discovered from the applicant. However, the learned APP expresses concern about granting pre-arrest bail to the applicant, as he may tamper with the evidence or influence witnesses.

5. This Court has given anxious consideration to the rival submissions canvassed across the Bar and perused the records.

6. Upon perusing the records, it appears that the only specific allegation against the applicant is that he conspired with the co-accused in the commission of the crime. A close scrutiny of the case documents, particularly the FIR, it reveals that the incident originated from an act of vandalism allegedly committed by the victim and his associates, who damaged the applicant's motorcycle. In response to this incident, the

applicant had lodged a non-cognisable complaint. Although the applicant was initially named as an accused in the case, the version put forth by the informant does not attribute any overt act of violence or use of weapon to the applicant. There is no allegation that he directly assaulted the victim. The charge sheet has already been filed against the co-accused, and the investigation as far as the applicant is concerned is nearing completion.

7. The learned APP has fairly acknowledged that there remains no further recovery or discovery to be effected at the instance of the applicant. Furthermore, the co-accused have already been released on bail.

8. Taking into account the totality of circumstances, this Court deems it fit to allow this application. Accordingly, the application is allowed on the following terms :

ORDER

(i) In the event of the applicant's arrest in CR No.961 of 2024, registered at Chitalsar, Manpada Police Station, Thane, he shall be released on pre-arrest 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 tamper with the evidence or influence witnesses.

(iii) The applicant shall attend the concerned Police Station as and when required by the investigating officer.

9. The application stands disposed of accordingly.

(R.N. Laddha, J.)