

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION**  
**NO. 202 OF 2022**

{Ravi Suman Gaikwad Vs. The State of Maharashtra through Mumbai  
Naka Police Station}

This is an application under section 438 of the Criminal Procedure Code, 1973 for grant of anticipatory bail in crime No. 27 of 2022 registered with Mumbai Naka Police Station for the offences punishable under sections 307, 341, 143, 144, 148, 149, 504 and 506 of the I. P. C.

02] The applicant contended that false and fabricated case is registered against him. He is innocent person. He is not concerned with the crime. Due to grudge, false complaint is filed against him. The applicant and the complainant have filed cases against each other. Nothing has been seized from the accused. He has no criminal antecedent. If he is released on bail, he will cooperate the investigation machinery. He is ready to abide by any conditions imposed by the court. Hence, he has prayed for grant of bail.

03] APP filed say at Ex. 07 and I. O. filed say at Ex. 08. They have stated that the offence is of serious nature. Yet, accused Rahul Pawar is to be arrested. The custodial interrogation of the accused is required. The evidence is to be recovered from him. If the accused is released on bail, he may threaten the prosecution witnesses. Hence, they have prayed for rejection of bail.

04] Heard the learned counsel for the accused and learned APP. They have argued as per the above stand taken.

05] I have gone through application, say, arguments and Police papers. The accused was granted with interim bail and not jumped the bail. His role is very limited in the crime. He has not used deadly weapon and is not the author of the injuries to the complainant/injured. For arresting other accused, his custody is not necessary. The weapons

are seized from the spot. In similar circumstances and role, anticipatory bail was granted to accused Kishor Mahale. Hence, parity applies. He has no criminal antecedent. Looking to the same, he is entitled for anticipatory bail. Hence, the following order.

**ORDER**

- 01] Application for anticipatory bail is allowed on the same terms and conditions as given below Ex. 4 i.e. interim bail order and interim anticipatory bail is hereby confirmed.
- 02] The applicant should attend the Police station in between 11.00 a. m. to 02.00 p. m. from dated 22.02.2022 and 23.02.2022 and help the police in investigation.
- 03] Inform the concerned Police station accordingly.

Date : 21.02.2022

(R. R. Rathi)  
Additional Sessions Judge-5,  
Nashik.