

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

ANTICIPATORY BAIL APPLICATION NO. 1700 OF 2015

Sou. Irshad Tajmir Shaikh .. Applicant

v/s.

The State of Maharashtra ..Respondent

Mr. Shriram S. Chaudhari for the applicant
Mr. Rajesh More, APP for respondent State

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 16th NOVEMBER, 2015.**

P.C.

1. The applicant herein has filed this application for anticipatory bail apprehending his arrest in C.R.No.85 of 2015, registered with Karkamb Police station, Solapur for the offence under Section 307, 323, 504 r/w 34 of the IPC.

2. Heard the learned Counsel for the applicant and the learned APP for the State.

3. The records *prima facie* reveal that the complainant is the

nephew of the applicant herein. There was dispute between them over drawing of the water from a common well. The said dispute resulted in an altercation and consequent incident of assault. The records reveal that the complainant as well as the applicant have sustained injuries in the said incident. The nature of offence is not heinous or grave and does not warrant custodial interrogation. There is no possibility of the applicant absconding or fleeing from the course of justice. Considering the nature of the offence and the manner in which the incident had occurred, in my considered view, the applicant is entitled for anticipatory bail.

4. Under the circumstances, the application is allowed on the following terms and conditions.

(i) In the event of arrest of the applicant in C.R. No.85 of 2015, the applicant shall be released on bail on furnishing bail bonds of Rs.15,000/- with one surety in the like amount to the satisfaction of the learned J.M.F.C, Pandharpur, Dist. Solapur.

(ii) The applicant shall furnish his permanent as well as local address to the learned Magistrate and till filing of the charge-sheet, the applicant shall not leave the jurisdiction of the learned J.M.F.C., Pandharpur without prior permission of the Magistrate.

(iii) The applicant shall report to the Investigating Officer for a period of 8 days from 10.00 a.m. to 1.00 p.m. the date of the receipt of the order or as and when required by the I.O. for the purpose of interrogation and investigation.

(ANUJA PRABHUDESSAI, J.)