

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 45 OF 2015

Amol Suresh Paloji. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Mr. Niranjan S. Mundargi, advocate for Applicant.

Mr. Arfan Sait, APP for State.

P.N. Rahul Desai, B.No. 1398, Laxmipuri Police Station.

CORAM : SMT.SADHANA S. JADHAV,J
DATE : JANUARY 19, 2015

P.C.:

1 This application arises out of Crime No. 163 of 2014 registered with Laxmipuri Police Station. The learned Sessions Judge has specifically observed in the order dated 19/12/2014 that upon perusal of the injury certificate, it does not appear that the applicant has committed an offence under Section 307 of the Indian Penal Code.

2 Learned Counsel for the applicant submits that the applicant herein is arrested in Crime No. 165 of 2014 on 18/1/2015 and is granted police custody remand for 3 days. In view of this, learned Counsel seeks liberty to withdraw this application.

3 On 21/1/2015 in the eventuality that the applicant offers to be in custody of the Magistrate, learned Magistrate shall consider the application under Section 437 of the Code of Criminal Procedure, 1973 on the basis of the observations made by the Sessions Judge in the order dated 19/12/2014. This Court has also perused the injury certificate and it prima facie appears on the basis of the injury certificate that an offence under Section 307 of the Indian Penal Code may not be made out.

4 The application stands dismissed as withdrawn and disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)