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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.315 OF 2015

Sunil G. Thadani	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Anoop Pandey, for the Applicant.
Mr.Y.M.Nakhwa, APP for the Respondent – State.
API – Sunil Yadav, Oshiwara Police Station.

CORAM : REVATI MOHITE DERE, J.
DATED : 11th MARCH, 2015.

PC.

1. Heard learned counsel for the applicant and the learned APP for the Respondent – State.
2. By this application, the Applicant seeks pre-arrest bail, in connection with C.R. No.23 of 2015 registered with the Oshiwara Police Station, Mumbai for the alleged offences punishable under Sections 323, 324, 326, 504, 506 r/w 34 of the Indian Penal Code.
3. It appears that there was some dispute between the applicant and the complainant. According to the learned counsel for the applicant the

applicant was not present at the time of the incident and had not assaulted with a steel rod as alleged by the complainant. He relied on the CCTV Footage, which he had submitted to the Investigating Officer.

4. Learned APP submits that the investigating officer has gone through the CCTV footage and has found that the applicant did not have the steel rod, though the complainant was assaulted by a steel rod.

5. Prima-facie, in view of the said discrepancy, the applicant is entitled to be granted pre-arrest bail on the following terms and conditions :

ORDER

- i) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.15,000/-, with one or two sureties in the like amount ;
- ii) The Applicant shall attend the Oshiwara Police Station, Mumbai, initially on every Saturday, between 10.00 a.m. to 11.00 a.m., till the filing of the charge-sheet, and thereafter as and when required.
- iii) The Applicant shall give his present address and telephone number to the Oshiwara Police Station, Mumbai as well as to the trial court;

- iv) If there is change in the address, the Applicant shall inform the same to the the Oshiwara Police Station, Mumbai as well as to the trial court;
 - v) The Applicant shall not tamper or attempt to influence the witnesses or any persons concerned with the case ;
6. The Application is allowed and disposed of in above terms.
7. The observations herein are prima-facie and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.
8. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)