

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2345 OF 2015

Sadiqul Tahir Shaikh @ Bangali

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Neville D. Dubey i/b Abhay B. Bhoir for applicant.

Ms. M.H. Mhatre, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 15th December 2015.

P.C.

1 The applicant is seeking bail in CR No.57 of 2015 dated 19.2.2015 registered with Antop Hill Police Station, Mumbai under Section 307 read with Section 34 of the Indian Penal Code.

2 The first information report has been lodged by Smt. Sangeeta Krishna Bashire the wife of the injured victim namely Krishna Bashire. That due to earlier quarrel and/or altercations which took place between the victim, applicant and the co-accused, the applicant along with co-accused Anil came at the spot of incident and started quarreling on account of parking of the handcart. The victim asked the applicant not to park his

handcart in front of his shop/stall. At that time, the applicant gave fist blows on the chest of the victim and thereafter lifted a knife (sura) which was lying on the adjoining handcart and gave blow on the head and other parts of the body of the victim. The applicant also tried to gave a blow on the neck of the victim. However, the victim dodged it and therefore the said blow was struck on the right chick of the victim. When the applicant again tried to give a blow with the said knife on the victim, the victim with a view to ward off the said blow raised his hands due to which the victim suffered injuries on his palms. In the premise the first information report was registered with the police. After completion of the investigation, the Police have now filed the chargesheet.

3 I have perused the chargesheet. The statement of the victim Krishna Bashire is very specific and precise and the same undoubtedly corroborates the first information report lodged by the wife of victim. The injury certificate issued by the Medical Officer of L.T.M.G. Hospital, Sion further corroborates the version of the complainant and injured/victim. The present crime was committed in a public square and after taking into consideration the gravity of the offence and serious allegations against the applicant, I am not inclined to grant bail to the applicant.

4 In view of the above, the present application is rejected.

(A.S. GADKARI,J.)