

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

31 CRIMINAL APPLICATION NO. 4163 OF 2016

SATTAR MASOOM PINJARI

VERSUS

THE STATE OF MAHARASHTRA

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Mr. D.S.Bagul, Advocate for Applicant.

Ms. P.V.Diggikar, A.P.P. for Resp. – State.

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CORAM : A.M.BADAR, J.

DATE : 22nd AUGUST, 2016

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PER COURT :

1. The applicant/accused in Crime No. 20/2016 registered at Azadnagar police station, Dhule for the offences punishable u/ss 307,384,147,148,149,323,504,506 of the Indian Penal Code, u/s 7 of Criminal Amendment Act and u/s 4/25 of Arms Act by this application is praying for releasing him on bail after filing of the charge sheet.

2. Heard learned counsel for the applicant. Learned A.P.P. opposed the application by contending that 3 persons were injured in this incident and there are eye witnesses to the crime in question.

3. Perused F.I.R Injured Sk. Ibrahim Sk. Haji Gulab

reported police that on 27/02/2016 initially the present applicant had demanded ₹ 2,000/- from him for permitting him to run the business. Upon refusal, the applicant along with co-accused assaulted him by means of iron pipe, swords and sticks.

4. Perusal of the papers of investigation shows that injured Shaikh Ibrahim, Gulab, Matin Abdulla and Mustaq Khatik suffered simple injuries and they were discharged on 28/02/2016 itself. As such, there is no possibility of aggravation of the offence against the present applicant. It is seen that the investigation against the present applicant is complete as well as his further pre-trial detention is not warranted. Hence, the following order.

- (i) The application is allowed.
- (ii) The applicant Sattar Masoom Pinjari in Crime No. 20/2016 registered at Azadnagar police station, Dhule for the offences punishable u/ss 307,384,147,148,149,323,504,506 of the Indian Penal Code, u/s 7 of Criminal Amendment Act and u/s 4/25 of Arms Act be released on bail on executing P.R. Bond of Rs. 15,000/- [Rupees Fifteen Thousand] and on furnishing surety in the like amount.
- (iii) As a condition of this Order, the applicant shall not extend any threat, inducement or promise to

the persons acquainted with the facts of the accusation so as to dissuade them from disclosing the same either to the police or the Court.

- (iv) The applicant shall not tamper the evidence of the prosecution.
- (v) The applicant shall not repeat commission of offence of similar nature in future.

[A.M.BADAR, J.]