

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

CRIMINAL APPLICATION NO.6748 OF 2015

Shaikh Afroz s/o Shaikh Ismail,
Age 27 years, Occu. Student,
R/o Malikpura, Parli Vaijnath,
Taluka Parli Vaijnath, Dist. Beed

..Applicant

Versus

The State of Maharashtra,
through Parli Vaijnath City Police
Station, District Beed

..Respondent

Mr P.B. Pawar, Advocate for applicant
Mr S.Y. Mahajan, A.P.P. for respondent No.1
Mr S.P. Tilve, Advocate for complainant, assisting the A.P.P.

CORAM : N.W. SAMBRE, J.

DATE : 14th January 2016

PER COURT

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.258/2015, registered at City Police Station, Parli Vaijnath, District Beed, for the offences punishable under Sections 307, 326, 323, 504 and 506 read with sec.34 of Indian Penal Code and under Section 4/25 of the Arms Act.

3. Perusal of the investigation papers and contents of F.I.R. depicts that there exists previous enmity between the complainant and applicant. Learned Counsel for the applicant would urge that the applicant is a lawyer and is falsely implicated in view of earlier F.I.R. at the behest of brother of the present applicant. From the F.I.R. it is noticed that the applicant has used fighter so as to assault the complainant.

4. If the investigation papers are perused, the complainant Mohd. Younus has suffered two simple injuries by sharp weapon.

5. As the allegations against the present applicant do not match with the nature of injury caused, in my opinion, false implication of the applicant cannot be ruled out. As such, applicant is entitled to be released on bail. Hence, I proceed to pass the following order.

6. In the event of his arrest in Crime No.258/2015, registered at City Police Station, Parli Vajinath, District Beed, for the offences punishable under Sections 307, 326, 323, 504 and 506 read with sec.34 of Indian Penal Code and under Section 4/25 of the Arms Act, the applicant be released on bail, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

7. The applicant shall attend the concerned Police Station on 18th and 19th January 2016 between 10.00 a.m. and 12.00 noon and thereafter as and when called by the Investigating Officer.

(N.W. SAMBRE, J.)

vvr