

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.691 OF 2016

Naseem Bandu Shaikh

...Applicant

vs.

The State of Maharashtra
(At the instance of Bandra Police
Station, Mumbai)

...Respondent

...

Mr. Ram Mani Upadhyay for the applicant.

Mrs. S. S. Kaushik, APP for the State.

...

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 16th APRIL, 2016.

P.C. :

. This application is moved for pre-arrest bail as the applicant/accused is facing charges under sections 143, 148, 149, 326, 504 & 506 of the Indian Penal Code in C.R. No.105 of 2016 registered with Bandra Police Station, Mumbai. The offence is registered at the instance of Mohammad Salim Nanhe Shaikh on 4/3/2016.

2. It is the case of the complainant that on 3/3/2016 at night time when he was standing near a Pan shop, at 8.00 p.m. applicant/accused armed with hockey stick along with other two persons assaulted him. Applicant/accused mounted blow on his head. The application for pre-arrest bail was rejected by the Additional Sessions Judge. This is the first date when the IO is present before the Court.

3. Perused the papers produced before the Court. The injury certificate shows that one injury was on head and one on forehead. However, they are simple injuries.

4. As per the submissions of learned prosecutor, there is one criminal case of the year 2010 filed by the same complainant against the applicant. However, summary was filed in the said matter. In view of this, pre-arrest bail is granted on the following terms and conditions:

ORDER

- (i) In the event of arrest, the applicant/accused be enlarged on bail on furnishing P. R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
- (ii) The applicant shall not tamper with the evidence;
- (iii) The applicant shall not pressurize the complainant or his family members;
- (iv) The applicant shall not indulge into any criminal activity while on bail;
- (v) The applicant shall cooperate with the Investigating Officer and shall attend the concerned police station as and when called by the police till filing of the charge-sheet.

Application is accordingly disposed of.

(MRS.MRIDULA BHATKAR, J.)