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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.845 OF 2016

Isahque Babu Shah and ors	 Applicants
V/s.	
The State of Maharashtra	 Respondent

WITH
CRIMINAL BAIL APPLICATION NO.891 OF 2016

Raees Babu Shah	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. Mateen A.R. Shaikh, for the Applicants in both applications.
Mr. Arfan Sait, APP for the Respondent State.

CORAM : A. M. BADAR, J.

DATE : 15th JULY, 2016.

P.C. :

1. The applicants/accused in both these applications, arrested in connection with C.R.No.115 of 2015, registered with Jaykheda Police Station, District: Nashik, for the offence punishable under Sections 307, 143, 145, 147, 148, 149, 323, 504, 506 of the Indian penal Code, by these applications are praying for releasing them on bail, during pendency of the trial.

2. Heard the learned counsels for the applicants as well as learned APP.

3. The learned APP opposed these applications

4. Perused the chargesheet. Sachin Galande, Yogesh Nikam and Jaywant Thakare are eye the witnesses to the crime in question. It is seen from their statements that applicants/co-accused were assaulting Ramdas Sale. Statements of eye witnesses show that applicant Ishaq was assaulting Ramdas by mens of "*khurpe*" and applicant Rais was assaulting him by means of, "*zara*" an instrument used for cooking. It is seen from statements that injured Ramdas had suffered contused lacerated wound on forehead on frontal region, blunt trauma was found on chest, legs and abdomen. The reason for the quarrel and the subsequent assault is dispute with regard to non payment of bill of the mess. The applicant Ishaque is the owner of that mess. Now, the investigation is over and chargesheet has already been filed. Considering the nature of weapon used and injuries suffered by the victim, pre-trial detention of applicants is not warranted and therefore, following order.

Order

- I) Applications are allowed.
- II) Applicants arrested in connection with above offence, be released on bail on their executing P.R. Bonds in the sum of Rs.10,000/- by each of them and on their furnishing sureties in

the like amount, by each of them.

III) The applicants shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

IV) The applicants shall attend the trial scrupulously and shall co-operate the trial Court in expeditious disposal of the case.

V) The applicants shall not tamper with the prosecution evidence in any manner.

VI) The applicants shall not commit similar type of offence in future.

[A. M. BADAR, J.]