

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1007 OF 2016

Mr.Sarfaraz Hameed Khan	.. Applicant
<i>Versus</i>	
The State of Maharashtra	.. Respondent

Ms.Sushma T. Mishra I/b. Munir A. Kochicktay, Advocate for the applicant.

Mr.H.J.Dedhia, APP for the Respondent State.

CORAM : P.N. DESHMUKH, J.

DATED : 17th JUNE 2016

P.C. :

1 Heard learned counsel for the applicant and learned Additional Public Prosecutor for the respondent/State.

2 Applicant - Sarfaraz involved in Crime No.I-61 of 2016 registered by Nayanagar Police Station, Thane Rural for the offences punishable under Sections 326, 323, 143, 147, 148, 149, 504 of the Indian Penal Code on 08/03/2016, has filed this application for grant of anticipatory bail. Names of four accused are mentioned in the FIR along with 15 to 20 other unknown persons. Admittedly all the accused are granted bail while one is granted anticipatory bail.

3 The learned counsel for the applicant has submitted that present incident is arising out of a cross case and present crime

is registered on the basis of report lodged by accused in Crime No.60 of 2016, which came to be registered on the basis of information lodged by brother of applicant.

4 The learned Additional Public Prosecutor has objected the application on the ground that investigation is in progress and *bambu* stick is seized from the applicant. Considering the contents of report and even otherwise according to the contents of FIR, apart from four accused, who are named in the present crime, there are 15 to 20 other persons stated to be involved in the incident of assault. The role attributed to applicant Sarafraz about his assaulting the complainant by *bamboo* stick on his leg. The injury certificate of Sayyed Mohammad Ibrahim reveals that simple injuries are sustained by him. In that view of the matter application is allowed.

5 In the event of arrest of applicant - Sarfaraz Hameed Khan in Crime No.I-61 of 2016 registered by Nayanagar Police Station Thane Rural, he shall be released on bail on his executing personal bond in the sum of Rs.25,000/- with one surety in like amount.

6 Applicant shall attend Investigating Officer from 20th June 2016 to 25th June 2016 between 5.00 p.m. to 7.00 p.m. and shall co-operate with the investigation.

7 Applicant shall thereafter visit the Investigating Officer as and when called till the charge sheet is filed.

(P.N. DESHMUKH, J)