

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1696 OF 2015

Mr.Allahbaksh Peer Sayyed.

..Applicant.

VS.

State of Maharashtra.

..Respondent.

Ms.Ameeta Kuttikrishnan, Appointed Advocate for the Applicant.

Mrs.A.T.Javeri, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 22nd January, 2016.

P.C.

This is an application sent through Jail for bail.

2) Heard the learned counsel Ms. Kuttikrishanan, Appointed for the applicant at length. Perused the copy of the charge sheet.

3) The applicant is shown as accused in CR No.218/2014 registered with Shahu Nagar Police Station, Mumbai under Section-307,326 read with 34 of the I.P.C. The injured witness namely Kasam Shaikh in his statement has attributed the specific role of assault on his head by the applicant with the aid of sharp edged weapon. During the course of investigation a chopper is recovered at the instance of the applicant. The learned counsel appointed for the applicant submitted that the applicant is arrested immediately after lodging of the FIR on 22.9.2014 and since 26.9.2014 he is in jail.

4) The learned counsel for the applicant submitted that the applicant is in Jail for last more than 15 months. That, he may either be released on bail or his trial may be expedited as the police have

already filed the charge sheet. The learned APP on the other hand produced the report dated 8.1.2016 submitted by the Senior Inspector of Shahu Nagar Police Station, Mumbai and objected for release of the applicant on bail. In the said report, it is specifically mentioned that apart from the present crime the applicant is also involved in four other crimes of similar nature which are pending for final adjudication by the Court.

5) After taking into consideration the role attributed to the applicant and the fact that the applicant is involved in 4-other cases coupled with the fact that when the applicant was released on bail in the other crime, he has committed the present crime, I am not inclined to release the applicant on bail. The learned counsel for the applicant submitted that liberty may be granted to the applicant to file a fresh bail application if the trial pertaining to CR No.218/2014 registered with Shahu Nagar Police Station, Mumbai does not commence within a period of one year from the date of this order. The said liberty is granted.

6) Application is dismissed in the aforesaid terms.

(A.S. GADKARI, J.)