

CRIMINAL APPLICATION NO. 2617 OF 2017

Tausif Hafiz Raheman ... Applicant

VERSUS

The State of Maharashtra ... Respondent

.....
Mr. Joydeep Chatterjee, advocate for the applicant
Mr. S.J.Salgare, A.P.P for respondent
.....

CORAM : K.L.WADANE, J.
DATED : 19th JUNE, 2017

O R D E R :

Heard learned counsel for the applicant
and the learned A.P.P. for respondent.

2. This is an application filed under the provisions of Section 438 of the Criminal Procedure Code in connection with Crime No. 131 of 2017, registered with Wasmat police station, District Hingoli on 27.4.2017 for the offences punishable under Sections 307, 143, 147, 148, 149, 506 (2) of the Indian Penal Code and under Section 4/25 of the Indian Arms Act.

3. It is alleged by prosecution that on 21.4.2017 at about 10.00 p.m. the informant was

watering in the apartment, at that time, applicant along with Khaled Shaker and other 3 unknown persons arrived there. It is further alleged that Khaled was armed with sword and the applicant was holding an iron rod. So also the unknown persons were holding iron rods. It is further alleged that the present applicant and others have assaulted the informant with the help of iron rod on his both legs and hands thereby causing severe injuries. Learned counsel appearing for the applicant has argued that the informant is a history sheeter and various crimes are registered against him. It is further argued that there is inordinate delay in filing the first information report and there is no explanation therefor.

4. As against this, learned A.P.P. submits that specific role is attributed to the present applicant, who assaulted the informant with the help of iron rod. The first information report supports the medical evidence. On perusal of medical certificate of the informant, it reveals that there are almost 8 injuries, out of which two

were fractures, one on right tibia and another on left tibia, which exactly supports the case of the informant in the first information report. Considering the specific role attributed to the applicant and the allegations in the first information report supported by the medical evidence, I am of the opinion that the applicant is not entitled for anticipatory bail.

5. Hence, Criminal Application is rejected.

(K.L.WADANE, J.)

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