

Anand

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.784 OF 2017

Faizal A. Rahim Salar .Applicant

Vs.

The State of Maharashtra .Respondent

WITH
BAIL APPLICATION NO.701 OF 2017

Mujib alias Dada A. Rajak Salar .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.U.R.Agandsurve, Advocate, for the Applicant in
B.A.No.784 of 2017

Mr.Ritesh Thobade, Advocate, for the Applicant in
B.A.No.701 of 2017

Mr.Prashant Jadhav, APP, for the Respondent - State in
B.A.No.784 of 2017

Mr.S.H.Yadav, APP, for the Respondent - State in
B.A.No.701 of 2017

CORAM : REVATI MOHITE DERE, J.

DATE : 28.04.2017

P.C.

. Heard learned counsel for the parties.

2. By these Applications, the Applicants seek their enlargement on bail in connection with C.R.No.557 of 2016 registered with the M.I.D.C. Police Station, Solapur, for the

alleged offences punishable under Sections 307, 326, 327, 324, 120B, 143, 147, 148, 149, 504, 506 of the Indian Penal Code, under Section 4(25) of the Arms Act and under Section 135 of the Maharashtra Police Act.

3. Two incidents took place on 04.11.2016; one incident at about 8.30 p.m. and the second incident at about 10.30 p.m.. Separate C.Rs have been registered in connection with both the incidents. As far as the present C.R. is concerned, it pertains to the first incident which took place on 04.11.2016 at about 8.30 p.m.. The allegation against the Applicant - Faizal Salar is that he assaulted Sayed with an iron rod. The Injury Certificate of Sayed shows that he has sustained four injuries and that all the injuries are simple in nature. The said injuries are on elbow, neck, back and hip. As far as the Applicant - Mujib Salar is concerned, he is alleged to have assaulted the Complainant Sarafraj Jahagirdar with a sickle. The Injury Certificate of Sarafraj Jahagirdar shows that he has sustained three injuries and that the said injuries are simple in nature. There is no recovery of a sickle at the behest of the Applicant - Mujib Salar. It is informed that the Applicants have been enlarged on bail in the second i. e. C.R.No.543 of 2016 registered with the Sadar Bazar Police Station, Solapur.

Investigation is complete and charge-sheet is filed.

4. Considering the aforesaid, the Applications are allowed and the Applicants are enlarged on bail on the following terms & conditions:-

O R D E R

(i) The Applicants be enlarged on bail, on executing PR Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;

(ii) The Applicants shall report to the investigating officer of the concerned Police Station on the **first Monday of every month** between **05:00 p.m. to 06:00 p.m.** till the conclusion of the trial;

(iii) The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The Applicants shall inform their latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The Applicants to cooperate with the conduct of the

trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

5. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)