

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 997 OF 2017

Mohammed Gulzar Mohammed Salim Applicant

VERSUS

The State of Maharashtra Respondent

Mr.M.N.Sandhyanshiv for the Applicant.

Mr.S.S.Hulke, A.P.P. for the State.

CORAM : T.V.NALAWADE, J.

DATE : 10th AUGUST, 2017

P.C.

The application is filed for bail. Both the sides are heard.

2. The crime is registered on the basis of the report given by injured Laikumanisa Vald Kabul Ahmed. The incident took place at 11.30 p.m. on 21st June, 2016. The allegations are made that when the complainant came out of a theater after seeing a movie, he noticed that the present applicant and six other persons were present outside. They picked up quarrel with the complainant by questioning him with regard to the previous incident. The allegation was made that the present applicant used chopper and gave blow on this person and then Wasim gave blow of sword and main accused Majid used a big stone and it was hit on the right leg.

3. Injury certificate issued by the civil hospital shows that as many as six injuries were present. Then he was shifted to a private hospital. Private hospital noticed nine injuries which include fracture of radius mid shaft right side and chip fracture Talus right lower leg.

4. The submissions made show that the applicant did not cause grievous injury. It appears that the incident took place due to some quarrel amongst the youngsters. In view of the nature of the incident and the site where the injuries are found, this court holds that it is not desirable to keep the applicant behind bars though the charge-sheet is filed for offence punishable under sections 307 read with 149 of Indian Penal Code. In the result, the application is allowed. The applicant is to be released on bail on his furnishing P.B. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only). The applicant is not to tamper with prosecution witnesses. He is not to commit similar offences. He is not to enter the area City Police Station, Malegaon, District Nashik till the disposal of the case filed against him.

(T.V.NALAWADE, J.)