

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1042 OF 2017

Mohd,. Ansar Asfaq Khan vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms.Anjali Awasthi for the Applicant.

Ms.P. N. Dabholkar, APP .for the State.

CORAM :A.S.GADKARI, J.

DATE : 14th December, 2017

P.C.

1. By an order dated 20.6.2017 the applicant was granted interim relief. It is the case of the prosecution that the co accused Javed assaulted the informant near the thumb of his left hand while the applicant assaulted the first informant with a bamboo stick which was lying at the scene of offence. It is alleged that the first informant received serious injuries because of the same.

2. Perused the record.

3. The Medical Certificate issued in favour of the first informant Raju Koli by Shatabadi Hospital, Govandi, Mumbai mentions that there were swelling and abrasions on the left

foot and left hand of the first informant. It is stated that the said injuries are simple in nature. It is further to be noted here that there is no corroboration to the version of the first informant on the allegation that he was assaulted by accused Javed by knife. It appears that the version of the injured witness is an exaggerated version which is not supported by medical evidence on record. In view thereof the applicant deserves to be protected by way of pre-arrest bail.

4. The interim relief granted by an order dated 20.6.2017 is hereby confirmed. However, the condition to attend the concerned police station is waived.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)