

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1201 OF 2017

Bibhishan Angad Surve 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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Mr. J.D.Mane for the Applicant.

Mr. S.H.Yadav, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 21st September, 2017

P.C.

1. The applicant was granted interim relief by an order dated 10.7.2017.

2. Learned APP submitted that in pursuance of the order dated 31.8.2017 passed by this Court accused No.1 Tanaji has surrendered before the police. The record of investigation further discloses that stick which is alleged to have been used by the applicant in the present crime was found at the scene of offence and the same has been seized. It is further submitted that the applicant has attended the Investigating Officer on stipulated dates and has joined the process of investigation.

3. Perused the record of investigation. I find substance in the statement made by the learned APP. It is to be noted here that the role attributed to the present applicant that he gave a blow of stick to the right side on the head of the first informant. The medical

report suggests that there was contusion over the forehead on the right side of the first informant. As the stick in the present crime has already been seized, this Court is of the view that the custodial interrogation of the applicant for further investigation of the present crime is not necessary and the applicant can be protected by way of pre- arrest bail.

4. In view thereof interim relief granted by Order dated 10.7.2017 is hereby confirmed.

5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)