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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**ANTICIPATORY BAIL APPLICATION NO.1807 OF 2016**

|                                    |              |
|------------------------------------|--------------|
| Mohammed Siddique Abdul Majid Kazi | ..Applicant. |
| Vs.                                |              |
| The State of Maharashtra           | ..Respondent |

**WITH**

**CRIMINAL APPLICATION NO. 964 OF 2016**

|                     |                |
|---------------------|----------------|
| Sajid Saeed Thankar | ....Intervener |
|                     | -----          |

Mr. Rajiv Patil, Senior Counsel a/w Mr. Hasan Patel for Applicant.  
Mr. Ajay Patil, APP for State.  
Mr. Shantanu Phanse i/b Noorseema Baig for Intervener.  
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**CORAM: A.S. GADKARI, J.**

**DATE : 26<sup>th</sup> April 2017.**

**P.C.**

1] The applicant is apprehending arrest in CR No.I-41 of 2016 dated 21.1.2016 registered with Mumbra Police Station, District Thane under Sections 302, 504, 506(2) read with 34 of the Indian Penal Code and under Section 37(1) (3), 135 of Bombay Police Act.

2] It is the prosecution case that, the accused persons namely Majid Kazi and Mohammed Shaikh assaulted deceased Sajid Ansari with

wooden stump and sharp edge knife. The first information report is lodged by Sajid Thankar on 21.1.2016. The first informant also gave his supplementary statement on 22.1.2017. That during the course of investigation, the police arrested Majid Kazi and Mohammed Shaikh and after completion of investigation filed chargesheet.

3] Heard the learned Senior Counsel appearing for the applicant and the learned Counsel for the Intervener and also perused the record.

4] After perusal of chargesheet annexed to the application, it is revealed that the first informant in his supplementary statement has stated that he came to know that along with accused Majid Kazi and Mohammed Shaikh, the son (applicant herein) of Mohammed Siddique Abdul Majid Kazi was present at the scene of offence. That there are three other witnesses who mention about the presence of the applicant at the scene of offence. The CC TV footage also shows that the applicant was present near the scene of offence, however, no overtact is attributed to the applicant. Prima facie it appears that merely because the applicant is the son of principal accused Majid Kazi, he has been implicated in the present crime.

5] In view thereof, the applicant has made out a case for grant of pre-arrest bail.

Hence, the following Order:

(i) In the event of arrest in CR No.I-41 of 2017 registered with Mumbra Police Station, District-Thane, the applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties.

(ii) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

**6]** In view of the Order passed in A.B.A. No.1807 of 2016, Criminal Application No.964 of 2016 does not survive and the same is accordingly disposed off.

**(A.S. GADKARI,J.)**