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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.4 OF 2018

Saddam Asalam Ansari

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Abdul Hafeez Kotwala, for the Applicant.

Mr.M.G.Patil, A.P.P for the Respondent-State.

P.I-R.S.Sawant, Aarey Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.

DATE : 2nd APRIL, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.259 of 2016 registered with the Shivaji Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 307, 326, 323, 504, 34 of the Indian Penal Code.

3. Perused the charge-sheet. The incident is alleged to have taken place on 7th July, 2016. In the said incident, the applicant is alleged to have assaulted the first informant-Sajid Shaikh with a bamboo stick, on his abdomen, leg and back. The injury certificate shows that the complainant had received 1 grievous injury i.e. fracture of left tibia leg. Although, learned counsel for the applicant submitted that no offence under Section 307 is disclosed, it is not necessary to consider the same, at this stage. Investigation is complete and charge-sheet is filed. The applicant is in custody since 21st December, 2016.

4. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the first Sunday of every month, between 10:00 a.m. to 11:00 a.m., till the

conclusion of the trial;

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

iv) The Applicant shall co-operate in the conduct of the trial;

v) An undertaking to the aforesaid clauses (ii) to (iv), shall be filed by the Applicant, in the Registry of the trial Court, within two week's of his release;

vi) It is made clear, that if there is breach of any of the conditions as stated above, the prosecution shall be at liberty to seek cancellation of Applicant's bail.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)