

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 307 OF 2018**

Mohin Mohemad Babadin Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondent

Ms. Saili N. Dhuru h/f Mr. Kuldeep S. Patil for the Applicant

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

Police Naik Mr. H. S. Chaudhari from Palghar Police Station, is present

**CORAM : REVATI MOHITE DERE, J.**  
**THURSDAY, 12<sup>th</sup> 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. I-142 OF 2017 registered with the Palghar Police Station, for the alleged offences punishable under Sections 307, 504, 506 of the Indian Penal Code.
3. Perused the papers, in particular, the statement of the complainant/injured-Avinash Bhore. According to the complainant/injured, the incident took place on 7<sup>th</sup> August, 2017 at about 10:30 p.m. It is alleged

that the applicant asked the complainant for money for alcohol and when the complainant refused, the applicant abused and threatened him. It is further alleged that when the complainant asked him why he was abusing, the applicant got enraged, pulled out a folding knife and assaulted the complainant on his abdomen and caused him grievous injury. The medical certificate which is on page 68 shows the nature of injuries sustained by complainant/injured i.e. stab wound. The said injury i.e. stab wound 1 cm x 1 cm x 3 cm over left paraumbilical region, is stated to be a grievous injury. There is recovery of knife at the instance of the applicant. The possibility of the applicant threatening or intimidating the complainant/injured cannot be ruled out.

4. Considering the *prima facie* material against the applicant, this is not a fit case to enlarge the applicant on bail. The application is accordingly rejected.

5. It is made clear that if, for no fault of the applicant, the trial does not conclude within one year from the receipt of this order, the applicant is at liberty to renew his request for bail.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

**REVATI MOHITE DERE, J.**