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

CRIMINAL BAIL APPLICATION NO.403 OF 2018

1.	Sarif Hasan Chadan Mansuri	
2.	Sagir Ahmad Abdul Mansuri	...Applicants
	Versus	
	The State of Maharashtra	...Respondent

Mr.Hrishikesh Mundargi, i/b Mr.Madan Gupta, for the Applicants.

Mr.S.S.Hulke, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 21st MARCH, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicants seeks their enlargement on bail in connection with C.R.No.273 of 2017 registered with the Tilak Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 302, 307, 323, 504 r/w 34 of the Indian Penal Code.

3. Perused the charge-sheet. The alleged incident is stated to have taken place on 6th September, 2017 at around 6.40 p.m. According to the complainant-Furkan Mehboob Farooqui, Shafiq Mansuri (Original Accused No.1) had gone to the area and had asked about Attaulla and had threatened to assault him over a girl. He has stated that pursuant thereto, Afzal (deceased), 3 others and he himself had gone to the area where the accused were residing and asked about Safiq (Original Accused No.1). It is alleged by the complainant-Furkan that all the three accused i.e. Safiq, Sarif and Sagir (all cousins) came to the spot and thereafter a quarrel ensued between the parties. He has further alleged that in the said quarrel, Safiq (Original Accused No.1) assaulted Afzal on his head, as a result of which, Afzal suffered a head injury and fell down. He has stated that pursuant thereto, he and Sarif took him to the hospital. As far as the applicants are concerned, admittedly they have not assaulted Afzal (deceased) with any weapon. The applicants are alleged to have abused and assaulted with fist blows. The applicants are in custody since 7th September, 2017. Investigation is complete and charge-sheet is filed. The applicants have no antecedents.

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

ORDER

i) The Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each, with one or two sureties in the like amount;

ii) The Applicants shall attend the concerned Police Station, on the first Sunday of every month, between 11:00 a.m. to 12:00 noon, till the conclusion of the trial;

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

iv) The Applicants shall co-operate in the conduct of the trial.

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.)