

Anand

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

BAIL APPLICATION NO. 489 OF 2018

Amir Anwar Shaikh .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Ram Mani Upadhyay, Advocate, for the Applicant
Mr. S. S. Hulke, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 09.03.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 381 of 2017 registered with the Mankhurd Police Station, Mumbai, for the alleged offences punishable under Sections 307, 506(2), 324, 143, 144, 147, 148 of the Indian Penal Code, under Sections 4, 25 of the Arms Act and under Sections 37(1), 135 of the Maharashtra Police Act.

3. Perused the papers. The incident in question is alleged to have taken place on 31.12.2017 at about 7.15 p. m. in the evening.

According to the prosecution, co-accused – Shafiq broke the Rickshaw queue, and started taking passengers, and hence Shrikant Kolekar, objected to the same. Pursuant thereto, there was an altercation between the parties. It is alleged by the Complainant, that Shafiq threatened Shrikant and left the spot and thereafter, returned with 5 – 6 persons. The complainant has further alleged that the said persons intercepted Shrikant's Rickshaw and assaulted and abused him as well as Shrikant, Salim, Rajan & Adil with weapons. The Applicant is alleged to have assaulted Rajan and Adil with bamboo sticks. The injury of Rajan is on the back and is a simple injury, whereas Adil did not go for medical examination. Admittedly, the Applicant's name has not been disclosed in the FIR nor is he alleged to have assaulted the first informant, Shrikant or Salim. The Applicant is aged 20 years and is a student pursuing his Bachelor of Mass Media from Anna Leela College of Commerce & Economics Shobha Jayaram Shetty College of BMS.

4. Considering the nature of allegations qua the Applicant and his role, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicant be enlarged **on cash bail** in the sum of

Rs. 10,000/- for a period of four weeks;

(ii) The Applicant shall, thereafter, furnish PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount, within a period of four weeks of his release on cash bail;

(iii) The Applicant shall attend the concerned police station, **every Saturday**, between **5.00 p. m. to 6 : 00 p. m.**, for a period of four weeks and thereafter, as & when called for by the investigating officer, till the filing of the charge-sheet;

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

(v) The Applicant to cooperate with the conduct of the trial.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

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

(REVATI MOHITE DERE, J.)