

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 518 OF 2018

Mobin Yarmohammed Khan ...Applicant

Versus

The State of Maharashtra ...Respondent

Smt. Sonal Parab, i/b Rajeev Sawant & Asso., for the
Applicant.

Smt. J. S. Lohokare, APP for the State/Respondent.

CORAM: A. S. GADKARI, J

DATED: 11th JUNE, 2018

PC:-

1. By an order dated 19th March, 2018 the Applicant was granted interim relief and the applicant was directed to attend the Investigating Officer on 26th to 28th March, 2018 and join process of investigation.

Heard the learned Counsel for the Applicant and the learned APP. Perused the record of investigation.

2. The record of investigation indicates that, there are no corresponding injuries suffered by the first informant as per the role attributed to the present applicant. The only injury

suffered by the first informant is caused by the co-accused with a scythe. Apart from the fact, that the applicant was a member of unlawful assembly at the time of commission of offence, *prima facie* it appears that no other overt act is attributed to him. In view thereof, the custodial interrogation of the applicant for further investigation of the present crime is not necessary.

3. Interim relief granted by an order dated 19th March, 2018, is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

4. Application is allowed in aforesaid terms.

[A. S. GADKARI, J.]