

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 838 OF 2018**

Sajid @ Abbusahab Mehandi Ansari @

Abu Sahab @ Sajid Mehandi Ansari

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Akram Kapoor for the Applicant

Ms. J. S. Lohokare, A.P.P for the Respondent-State

PSI Mr. P. S. Khamkar from Amboli Police Station, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 13th 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. 23 of 2017 registered with the Andheri Police Station, Mumbai, for the alleged offences punishable under Section 307 of the Indian Penal Code.
3. Perused the papers, in particular, the statement of the injured. According to the prosecution, the complainant-Sahil Sultanpuri and the

applicant were known to each other; that on 25th January, 2017, they met each other; that at about 12:00 midnight, the applicant requested the complainant, if he could stay with him; that after chatting for some time, complainant slept at about 3:30 a.m.; the applicant assaulted the complainant with a knife on his neck; when the complainant tried to ward-off the attack, the complainant was assaulted on his chest and also sustained injuries on his fingers.

4. A perusal of the injury certificate shows that the complainant has received grievous injuries with knife i.e. a CLW on the neck, multiple CLWs on the left side of the neck and chin and the injury has caused damage to the thyroid cartilage.

5. Considering the *prima facie* material, this is not a fit case to enlarge the applicant on bail. Even otherwise, the possibility of the applicant threatening and intimidating the complainant, cannot be ruled out.

6. Considering the aforesaid, the application is rejected. However, the trial of the applicant is expedited.

7. 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.