

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

CRIMINAL BAIL APPLICATION NO. 1731 OF 2018

Raju Apanna Reddy. ..Applicant.

V/s.

The State of Maharashtra. ..Respondent.

WITH
CRIMINAL BAIL APPLICATION NO. 1732 OF 2018

Rakesh Lokesh Reddy. ..Applicant.

V/s.

The State of Maharashtra. ..Respondent.

Mr. Aniket U. Nikam I/b. Mr. Aashish Satpute, advocate for applicants.

Mr. Rajan Salvi, APP for State in BA 1731/18.

Mr. Y.Y. Dabke, APP for State in BA1732/18.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : AUGUST 14, 2018.

P. C. :

1 Heard the learned Counsel for the applicants and the learned
APP for the State.

2 This is an application under section 439 of the Code of
Criminal Procedure, 1973. The applicants are arrested on 22/2/2018 in

Talwalkar

Crime No. 134 of 2018 registered at Dehuroad Police Station, for offence punishable under section 307, 143, 146, 147, 148, 149, 427 of the Indian Penal Code.

3 It is the case of the prosecution that on 22/2/2018 Saida Shaikh lodged a report at the police station alleging therein that on 21/2/2018 at about 11 p.m. when she was having her dinner, she had heard hue and cry outside her house. That Ammu Reddy @Nagesh Reddy was carrying bottle filled with petrol, was setting fire to the flex board of Suffi Enterprises. Her husband Nabib Shaikh and her son Pervej had tried to restrain him. However, he had fled from the spot. The complainant along with her sisters and niece was trying to extinguish the fire. At that stage, they were assaulted by Raju Reddy, Narayan Reddy, Jagraj Reddy, Rajesh Reddy and others. The complainant and her sisters had sustained injuries.

4 Perused the injury certificate. It appears that Abeda had sustained grievous injuries. Similarly, Tasnim had also sustained fracture and heamotoma over occipital region. On the basis of the said report, offence was registered. Investigation is completed and charge-sheet is filed. Learned APP submits that the applicants do not have any criminal antecedents. Hence, the applicants deserve to be enlarged on bail.

Talwalkar

5 The observations are prima facie in nature and restricted to the application under section 439 of the Code of Criminal Procedure, 1973. The same shall not be considered for discharge application or at the time of trial.

6 Hence, following order is passed :

ORDER

- (i) The applications are allowed.
- (ii) The applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 30,000/-each with one or more solvent sureties in the like amount.
- (iii) The applicants shall not tamper with the evidence.
- (iv) The applicants shall not reside within the jurisdiction of Dehu Road Police Station, Taluka Haveli till conclusion of the trial.

7 The applications are disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]

Aruna
Sandeep
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