

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1416 OF 2018

Abdul Razzak s/o Mohd. Idris Shaikh ...Applicant.

vs.

The State of Maharashtra and anr. ...Respondents.

Mr.I.A. Shaikh i/by S.A.Shaikh for the Applicant.

Smt. Rutuja Ambekar, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 6th August, 2018

P.C.

1. This is an application under Section 438 of the Cr.P.C. for pre-arrest bail in CR No.432 of 2018 dated 21.6.2018 registered with Samta Nagar, Police Station, Mumbai under Sections 326, 323. 504, 143, 147, 506(2), 148, 149 of the Indian Penal Code and under Section 37(1) and 135 of the Maharashtra Police Act.
2. Heard the learned counsel for the applicant and the learned APP. Perused the record.
3. The first information report is lodged by Mohd. Sharifmiya Afsar Alam Gazi. It is alleged that, due to some earlier enmity the applicant and other accused persons on 20.6.2018 at about 10.00 a.m. assaulted the informant with iron rod, fist and kick blows.

4. The role attributed to the applicant is that, he assaulted the informant with iron rod on his head due to which the informant suffered bleeding injury. The medical certificate issue by Shatabadi Hospital, Kandivali (W) duly corroborates the version of the first informant about suffering with CLW on right occipital region. The investigation of the present crime is at nascent stage. The record indicates that, there is another crime registered against the applicant bearing CR No.6/2017 with Samta Nagar Police Station, Mumbai.

5. After taking into consideration the serious allegations against the applicant, gravity of the offence and the antecedent at the discredit of the applicant, this Court is of the view that, the applicant does not deserve to be protected by anticipatory bail.

Application is accordingly rejected.

(A.S.GADKARI, J.)