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

ANTICIPATORY BAIL APPLICATION NO.1389 OF 2017

1.	Abid Hanif Khan	
2.	Salim Hanif Khan	...Applicants
	Versus	
	The State of Maharashtra	...Respondent

Ms.Supriyanka Maurya, i/b Mr.S.S.Karmarkar, for the Applicants.

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

PSI-Khandagale, Kurar Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.

DATE : 8th MARCH, 2018

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 215 of 2017 registered with the Kurar Police Station, Mumbai, for the alleged offences punishable under Sections 323, 326, 504 r/w 34 of the Indian Penal Code.

3. Perused the papers. The incident in question is alleged to have taken place on 18th June, 2017, at about 10.15 p.m. According to the First Informant, the applicants alongwith Original Accused No.3 visited his workplace and enquired about one Javed Khan and asked him to call Javed Khan, as Javed Khan had picked up a quarrel with the applicants. It is alleged by the First Informant, that when he told that his employer-Javed Khan was not there, the applicants and the Original Accused No.3 started abusing him and when he objected to the abuses, the applicants assaulted him. It is further alleged that the applicant no.1 picked up one iron rod and assaulted the First Informant on his left hand finger. With respect to the same incident dated 18th June, 2017, the applicants' side has also lodged a cross FIR, which was registered vide C.R.No.213 of 2017, as against Javed Khan, Sajid and unknown person. It also appears that the applicants' father had also lodged a complaint with the Tahshildar, as against the complainant's employer-Javed Khan for indulging in illegal activities of dumping and storing sand and stones and that the Tahshildar had initiated action against Javed Khan (complainant's employer). The applicants' were granted interim protection vide order dated 4th August, 2017. The applicants have attended the concerned Police Station, as directed by this

Court vide order dated 4th August, 2017.

4. Considering the peculiar facts of this case, the interim protection granted vide order dated 4th August, 2017, is confirmed. The application is accordingly allowed and the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- each, with one or two sureties in the like amount ;

(ii) The applicants shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet.

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

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application.
7. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)