

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1662 OF 2018

Asgarali Taherali Contractor,
Age 33 y3ars, Occ. Business, R/o.At 306,
Sai Sadan Apartment, Thakurpada,
Hanuman Nagar 1, Mumbra, Thane. Applicant
versus
The State of Maharashtra Respondent

Ms.Sushma T. Mishra for applicant.
Mrs.G.P.Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 28th August 2018

PC :

1. This is an application for anticipatory bail. An offence is registered against applicant with Shil Daighar Police Station on 11th March 2018 vide CR No.I-39/2018 for offences under Sections 326, 323, 504, 506, 34 of Indian Penal Code. The FIR was lodged by one Mangesh Patil alleging that unknown persons had assaulted him by fist blows and by iron rod. It is alleged that the complainant heard the conversation of assailants wherein they referred to one person named Ali, who had allegedly assaulted the complainant by iron rod. The FIR was lodged against unknown persons. Whereas, the case of applicant is that he was severely assaulted by the accused and sustained grievous injuries. In that regard the FIR was registered with the same police station vide CR No.I-48/2018 on 11th March 2018. The applicant was assaulted by a group of persons by using stump and sticks and as a result of which the applicant had sustained

serious injuries. Learned counsel for applicant drew my attention to the medical case papers which are annexed to the petition, which refers to six injuries sustained by the applicant. It is submitted that he was hospitalized for about one week. The FIR lodged by the applicant for offences under Sections 307, 323, 336, 143, 147, 149 of Indian Penal Code as well as Section 37(1)(3) of Maharashtra Police Act.

2. Learned APP submitted that the complainant in the present case was also assaulted and he sustained head injury. He was also admitted in the hospital. The injury certificate of the complainant indicates that he had sustained head injury by sharp weapon on parietal region and blunt trauma all over the body. Apparently there are cross cases filed by both the sides. The applicant had also sustained serious injuries for which he was hospitalized. The other accused who are named in the FIR, were arrested and released on bail.

3. Considering the aforesaid circumstances, case for grant of anticipatory bail is made out. Hence, I pass following order :

ORDER

(i) In the event of arrest of applicant in connection with C.R. No.I-39/2018 registered with Shil Daighar Police Station, the applicant be released on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

(ii) The applicant shall report the investigating officer of Shil Daighar Police Station once in a week on every Saturday between 10

a.m. and 12 noon till filing of the charge sheet, and after filing of the charge sheet, once in a month on every first Saturday between 10 a.m. and 12 noon till further orders;

(iii) Criminal Anticipatory Bail Application No.1662 of 2018 is disposed of.

(PRAKASH D. NAIK, J.)

MST