

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1727 OF 2018

Vikram Singh, Age 33 years,
Occ.Service, R/o.Krishna Niwas, Road No.33,
Opp.Nair Brothers Company, Sawarkar Nagar,
Wagle Estate, Thane (W).

Applicant

versus

The State of Maharashtra

Respondent

Mr.Santosh S. Musale for applicant.

Mr.A.R.Kapadnis, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 31st August 2018

PC :

1. This is an application for anticipatory bail in connection with Cr No.I-57/2018 registered with Vartak Nagar Police Station, Thane. The offence is registered under Section 326 read with Section 34 of Indian Penal Code. The FIR was lodged on 15th March 2018. The case of prosecution is that on 24th March 2018, at about 10.30 p.m; the first informant Aadesh Ashok Singh and his friends were present at Naka. They were friendly abusing each other. The applicant and his friends came there and confronted the first informant as to why he is abusing his friend. A quarrel took place between them. The applicant assaulted them. All of them left the place. Thereafter complainant Aadesh Ashok Singh went to the house of applicant. He was not found in house. Hence he broke the glass of applicant's car. Subsequently the applicant and his friends assaulted the complainant and Shravan. It is alleged that the applicant assaulted the informant

as well as Shravan by iron rod. As a result of the assault, Shravan sustained fracture to his finger. The complainant had sustained multiple blunt injuries to his body. On perusal of the FIR it is apparent that overt act has been attributed to the applicant. The injuries sustained by the complainant and other witnesses, as stated above, are not very serious. The incident had occurred on account of earlier quarrel between the accused and the complainant.

2. Learned advocate for applicant pointed out the medical certificate and other medical case papers with regards to the health condition of applicant. On perusal of medical certificate dated 26th March 2018 issued by Kaushlya Medical Foundation Trust and Hospital it is mentioned therein that the applicant had undergone renal transplant. He is on immuno suppressant and requires regular follow up with nephrologist. It is also mentioned that the applicant should not receive any injury. He requires regular blood to ensure proper functioning of his transplant kidney. Learned advocate also pointed out several other documents which show that the applicant was continuously undergoing treatment since 2015.

3. In the circumstances the applicant can be granted anticipatory bail on the condition to report police station and co-operate with the investigation. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application No.1727 of 2018 is allowed and disposed off;
- (ii) In the event of arrest of applicant in connection with CR No.I-57 of 2018 registered with Vartak Nagar Police Station, Thane, the

applicant be enlarged on bail on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

(iii) The applicant shall report the investigating officer of Vartak Nagar Police Station once in a week on Friday between 10 am and 12 noon till filing of charge sheet;

(iv) The applicant shall not tamper with evidence.

(PRAKASH D. NAIK, J.)

MST