

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

**ANTICIPATORY BAIL APPLICATION NO.142 OF 2019**

Shoeb Akbar Khan .. Applicant

**Vs.**

State of Maharashtra .. Respondent

.....

Mr.Abdul Hafeez i/b. M/s.Sumaria Legal Associates, Advocate for the Applicant.

Mr.Prashant Jadhav, APP for the Respondent – State.

Mr.Tushar Dhakrao, PSI, Bandra Police Station, Mumbai, present.

.....

**CORAM : PRAKASH D. NAIK, J.**

**DATED : JANUARY 17, 2019.**

**P.C. :**

This is an application for anticipatory bail in connection with C.R.No.600 of 2018, registered with Bandra Police Station, Mumbai, for the offences punishable under Sections 326, 323 and 504 read with 34 of Indian Penal Code (“IPC”, for short).

2           The alleged incident had occurred on 16<sup>th</sup> October, 2018. FIR was lodged on 17<sup>th</sup> October, 2018. The complainant has alleged that she was assaulted by one Shahaz and Sohail. Name of the applicant is not reflected in the FIR. Co-accused who has

been attributed the role of assault has been arrested. Subsequently, statement of complainant was recorded on the next date of the incident i.e. on 18<sup>th</sup> October, 2018, in which she has referred to the name of the applicant, as the person who had pointed a knife. However, no role of assault is attributed to the applicant. It is pertinent to note that the complainant has referred name of the applicant in the FIR and the role of assault has been attributed to other persons. Considering the aforesaid circumstances, the reliefs as prayed for in this application may be granted. Hence, case for grant of bail is made out

3                    Hence, I pass the following order:

**:: ORDER ::**

- (i) Anticipatory Bail Application No.142 of 2019, is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R.No.600 of 2018, registered with Bandra Police Station, Mumbai, he be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

(iii) Applicant shall attend investigating officer on 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> January, 2019, between 05:00 p.m. to 07:00 p.m;

(iv) Anticipatory Bail Application stands disposed of.

**(PRAKASH D. NAIK, J.)**