

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

ANTICIPATORY BAIL APPLICATION NO.280 OF 2019

Mohammed Rafiq Ashrafi	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

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Mr.Adil Mirza, Advocate for the Applicant.
Mrs.G.P. Mulekar, APP for the Respondent – State.
Mr.Sudhakar Shirsat, PI Versova Police Station, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 13, 2019.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.509 of 2018, registered with Versova Police Station, Mumbai, for the offences punishable under Sections 323, 324, 354, 504, 506, 141, 142, 143, 144, 147, 148 and 149 of Indian Penal Code (“IPC”, for short). First Information Report (“FIR”, for short) was lodged on 28th December, 2018.

2 The prosecution case is that the applicant had stabbed the complainant by using knife. It appears that the applicant has also lodged FIR against the complainant vide C.R.No.506 of 2018, registered with the same police station for

the offences punishable under Sections 457, 380, 324, 354, 427, 141, 143, 144, 147, 148 and 149 of IPC. In the said FIR, the applicant had alleged that the complainant in the present case and others have assaulted him.

3 Application was heard on the last occasion and time was granted by the prosecution to produce the injury certificate of the complainant. Learned APP, on instructions from the officer who is present in Court, submits that the injury certificate of the complainant is not available since the complainant has lost the original OPD papers. In the aforesaid circumstances, anticipatory bail can be granted to the applicant.

4 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.280 of 2019, is allowed;
- (ii) In the event of arrest of the applicant, in connection with C.R.No.509 of 2018, registered with Versova Police Station, Mumbai, he may be released on bail on his furnishing P.R. Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;

- (iii) Applicant shall attend Versova Police Station, Mumbai, once in a month on first Monday of the month between 11:00 a.m. to 01:00 p.m, till further orders;
- (iv) Anticipatory Bail Application stands disposed of;

(PRAKASH D. NAIK, J.)