

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.546 of 2019

Fakrudin A. Aziz Jamadar	.. Applicant
Versus	
The State of Maharashtra	.. Respondents

...

Mr. Mohammed Saifun Mulla for the applicant.

Mr. Prashant Jadhav APP for the State.

API R.S. Paval from Sadar Bazar Police Station, Solapur City present.

CORAM: SMT. BHARATI H.DANGRE, J.

DATED : 22nd MARCH, 2019

P.C:-

1 Heard learned counsel for the applicant and learned APP for the State.

2 It is the case of the prosecution that on 4th September 2018, the present applicant has assaulted one Yusuf @ Bablu at Maulali Square and based on the said incident, an FIR came to be registered on 5th September 2118 under Sections 307 IPC and 504 of the IPC.

3 By the present application, the applicant seeks his release on bail in light of the fact that the charge-sheet is already filed.

Tilak

I have perused the material produced on record, including the statement of the informant as well as the supplementary statement recorded on 7th September 2018. Learned APP, on instructions, makes a statement that there are no antecedents against the present applicant. Perusal of the material placed on record, including the statement on the basis of which the FIR is registered, it is disclosed that the applicant was under the influence of liquor and he had assaulted the injured Yusuf by means of a knife on the pretext that he is not attending to his request for giving him money for drinking liquor. The injury certificate which is placed on record disclose two stab injuries, one on the chest and another on abdomen. On conduct of investigation, the charge-sheet is filed. Learned APP has not established that there is any likelihood of the applicant indulging in tampering of prosecution evidence.

Considering the nature and gravity of offence and also the fact that there is no previous history against the applicant, I am of the view that the applicant be released on bail on the following terms and conditions :

- (i) The applicant be released on bail on furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (ii) He shall not tamper with the prosecution witnesses.

(iii) He shall inform his current residential address and any subsequent change therein along with the proof to the concerned police station and also tender the same before the lower court.

This should be complied within a period of two weeks.

Bail Application stands disposed of accordingly.

(SMT. BHARATI H. DANGRE, J.)