

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

BAIL APPLICATION NO. 627 OF 2019

Shivam Ashok Dubey

... Applicant.

V/s.

The State of Maharashtra

... Respondent.

Mr. I.K. Tripathi, Advocate, I/by C.K. Tripathi for the Applicant.

Mr. S. R. Agarkar, APP for the State.

(Ms. Swati N. Nalawade, PSI, MIDC Police Station is present.)

CORAM : PRAKASH D. NAIK, J.

DATE : FEBRUARY 25, 2019.

PC :

1 The Applicant is seeking bail in connection with CR No. 20 of 2019, registered with MIDC Police Station, Mumbai for the offence under sections 326, 323, 325, 506, 143, 144, 147 and 149 of the Indian Penal Code. The applicant was arrested on 25.01.2019.

2 The case of the prosecution is that there was a fight between two groups. The applicant allegedly assaulted the victims, which had resulted in dislocation of teeth of the victim. The applicant has alleged to have assaulted one of the victim by using blade, resulting injuries on the back of the victim. It is submitted that the applicant is a student of

Pharmacy and his examination is in progress. He requires to attend his examination at Bangalore. It is further submitted that the applicant is now aged about 21 years, having no criminal antecedents. The victim is out of danger. The other co-accused, who were arrested, were granted bail.

4 Learned APP submitted that main act is attributed to the applicant. He has caused major injuries to the victim.

5 I have perused the first information report. Apparently, the applicant had assaulted the victim. However, it is noted that the applicant is in custody since 25.01.2019. Presently he is in judicial custody. The victims are out of danger. The applicant is student of pharmacy. Considering this, on certain conditions, the bail can be granted. Hence, I pass following order :

ORDER

- i. Bail Application No. 627 of 2019 is allowed.
- ii. The Applicant is directed to be released on bail in connection with CR No. 20 of 2019, registered with MIDC Police Station, Mumbai, on his furnishing PR Bond in the sum of Rs. 20,000/- with one or more sureties in the like amount.

iii. The applicant is allowed to furnish cash bail of Rs.20,000/- for a period of six weeks.

iv. The Applicant shall report to concerned Police Station once in a month, on first Saturday of the month between 11 a.m. to 1 p.m. till further orders.

iv. The application shall stand disposed of.

(PRAKASH D. NAIK, J.)

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