

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 934 of 2019

Asif Anwar Shaikh and Another	.. Applicants
Vs.	
State of Maharashtra	.. Respondent

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Mr. Naveen R. Chomal, Advocate for the Applicant.
Mr. V. B. Konde-Deshmukh, APP for the Respondent – State.
Mr. Vishal R. Khajekar, Police Constable, Bhadrakali Police
Station, Nashik.

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**CORAM : SARANG V. KOTWAL, J
(VACATION COURT)**

DATED : 20th MAY, 2019.

P.C. :

1) This is an Anticipatory Bail Application filed by the applicants. They are praying for their release on bail in the event of their arrest in connection with C.R. No. 246/2019 registered with Bhadrakali Police Station, Nashik under Sections 307, 323, 504, 143, 147, 148, 149 read with 34 of IPC and under Section

135 of Maharashtra Police Act. It is the case of the first informant Qasim Rahim Sheikh, that on 15th March, 2019 at around 10.30 P.M. both the applicants along with others assaulted him with sharp weapons. It is his case that the applicant No. 1 threatened to commit his murder.

2) Shri Chomal submitted that the first informant had misbehaved with the applicant No. 1's sister and to save from arrest has lodged this false F.I.R. Applicant No. 1's sister has lodged her own F.I.R. against the first informant.

3) I have perused the F.I.R. and the investigation papers. The informant has attributed specific roles to the applicants. The Learned APP Mr. V. B. Konde-Deshmukh has produced the investigation papers which include the Injury certificate issued by the Shreeji Health Care Dhadiwal Hospital. There are 3 injuries caused by sharp weapons which are attributed to the applicants. The investigation papers also include the statement of one Eye witness who had seen the first informant lying on the road.

According to him both the applicants alongwith others were standing with sharp weapons near the first informant.

4) Considering this material on record no case for Anticipatory Bail is made out. Application is rejected. Needless to state that these observations are restricted to deciding Anticipatory Bail Application only.

(SARANG V. KOTWAL, J.)