

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

ANTICIPATORY BAIL APPLICATION NO. 1015 OF 2019

Aasif Gulamgous Shaikh	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Sanjeev Kumar Bapu Deore for the Applicant.
 Mr. A.R. Kapadnis, A.P.P. for the Respondent – State.
 Mr. Gavit, P.S.I., Indira Nagar Police Station, Nashik, present.

CORAM : P.N. DESHMUKH, J.

DATED : 3rd MAY, 2019.

P.C. :

1 Issue notice. Learned A.P.P. waives service of notice for respondent-State. Heard learned Counsel for applicant and learned A.P.P. Perused the copy of charge-sheet filed with the application.

2 Learned Counsel for applicant had tendered at bar typed copy of the statement. Same is marked 'X' for identification.

3 Perusal of report would reveal applicant's involvement of his strangulating complainant by his neck, to commit his murder and nothing more. However, perusal of complainant's medical report would falsify his claim as aforesaid as according to the injury report he is stated to have

sustained two abrasions and one blunt trauma which are all certified to be simple injuries. In that view of the matter, though from the report it is found that at the time of incident, other three co-accused had committed assault by iron rod no such over act is attributed to applicant. In that view of the matter and since investigation is complete and charge-sheet is filed before the competent Court, application is allowed as per order below :

ORDER

(i) In the event of arrest of applicant in C.R. No. 346 of 2018 registered with Indira Nagar Police Station, Nashik, for the offence punishable under Sections 307, 452, 143, 147, 148, 149, 323, 504, 506 r/w. 34 of I.P.C. and Section 135 of Bombay Police Act, he shall be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount;

(ii) Applicant shall attend Investigating Officer if called within one week from today.

Application stands disposed of as allowed.

(P.N. DESHMUKH, J.)