

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

BAIL APPLICATION NO.1570 OF 2019

Suraj @ Sahil Abdul Sayyad

.. Applicant

Vs.

State of Maharashtra & Anr.

.. Respondents

.....
Ms.Nagma Tandon, Advocate for the Applicant.

Mr.H.J. Dedhia, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : DECEMBER 04, 2019.

P.C. :

This is an application for bail in connection with C.R.No.1311 of 2018, registered with Hadapsar Police Station, Pune, for the offences punishable under Sections 307, 324, 323, 504 read with 34 of Indian Penal Code (“IPC”, for short).

2 First Information Report (“FIR”, for short) was registered on 10th November, 2018. Applicant was arrested on 10th November, 2018. The prosecution case is that on account of previous enmity, the complainant and the other witnesses were assaulted by the Applicant and the co-accused. Applicant had assaulted by sickle, which was provided to him by the co-accused.

The Applicant has allegedly assaulted one Suraj Patil. The other injured person Mahadeo was assaulted by the co-accused. The injured persons were treated in the hospital and subsequently discharged.

3 Learned Advocate for the Applicant submitted that the Applicant is in custody since his arrest. There are no criminal antecedents against him. The injury sustained by the injured persons are simple in nature. The victim is out of danger and he is discharged from the hospital within short span of time. The Applicant is a young boy. It is submitted that the Applicant is willing to stay out of the jurisdiction of Hadapsar Police Station, Pune, and he would stay at Taluka-Patuda, District-Beed.

4 Learned APP submitted that although the injuries are simple in nature, the assault was on vital part of body. The injured had sustained seven injuries. Applicant and other accused had assaulted the injured persons causing serious injuries to them. Hence, bail may not be granted to the Applicant.

5 The Applicant has been attributed role of assaulting the injured persons. The injury certificate issued by Sasoon

Hospital, Pune, indicate that the injured Suresh Patil to whom the accused had assaulted had sustained five injuries on his person. All the injuries were simple in nature. Indeed the assault was on the head and vital parts of the body. However, taking into consideration that there are no criminal antecedents against the Applicant and he is in custody for more than a year, bail can be granted on certain stringent conditions.

6 Hence, I pass the following order:

:: O R D E R ::

- (i) Bail Application No.1570 of 2019, is allowed;

- (ii) Applicant is directed to be released on bail in connection with C.R.No.1311 of 2018, registered with Hadapsar Police Station, Pune, on his executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (iii) Applicant shall stay out of the jurisdiction of Hadapsar Police Station, Pune, till conclusion of

the trial and shall furnish the details of his place of residence after he is released on bail to the investigating officer and shall report nearest police station once in a month on first Saturday of the month between 10:00 a.m. to 12:00 noon, and, thereafter, as and when called for till further orders;

(iv) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)