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

CRIMINAL BAIL APPLICATION NO.1685 OF 2019

Arjun Kisan Singh ...Applicant

Versus

State of Maharashtra ...Respondent

Ms.Gulestan Dubhash a/w Mr.Harshal Damania, i/b Mr.D.P.Jaiswal, for the Applicant.

Mr.A.R.Kapadnis, A.P.P for the Respondent - State.

PSI – Umaji Kadam, Goregaon Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th AUGUST, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.165 of 2018 registered with the Goregaon Police Station, Mumbai, for the alleged offences punishable under Sections 326, 143, 144, 147, 148, 149, 323, 324, 504, 506, 427 of the Indian Penal Code and under Sections 37(1) and 135 of the Maharashtra Police Act.

3. Learned Counsel for the applicant seeks bail on the ground of parity. She submitted that similarly placed co-accused – Danish Sayyad and Mayur Gaikwad, have been enlarged on bail by this Court vide order dated 26th June, 2019.

4. Perused the papers. According to the complainant, the incident took place on 18th March, 2018, when one Junaid Khan @Pardeshi along with his associate assaulted Anish Maurya and Jitendra Maurya. During the course of investigation, the applicant was arrested. Admittedly, the applicant has not been named in the FIR nor has he been identified in the identification parade. Although there is recovery of a bamboo stick at the instance of the applicant, the same was recovered, after almost two months of the incident and that too from a public place. The applicant is in custody since May, 2018. The applicant has no antecedents. Investigation is complete and charge-sheet is filed.

5. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

ii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

iii) The Applicant shall inform his latest place of residence and mobile contact numbers and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

iv) The Applicant to co-operate with the conduct of the trial.

6. The Application is allowed and disposed of in above terms.

7. It is made clear, that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.