

Anand

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

BAIL APPLICATION NO. 2094 OF 2019

Abhishek Hari Shankar Ram .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Shakil Ahmed, Advocate, for the Applicant
Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 26.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. I-327 of 2019 registered with the Kalyan Taluka Police Station, Thane (Rural), for the alleged offences punishable under Sections 326, 324, 323, 143, 147 & 149 of the Indian Penal Code.

3. According to the prosecution, the incident took place on 16.06.2019 at 9.00 p. m.. It is alleged by the Complainant /injured - Vikram Singh, that Abhishek i. e. the Applicant alongwith 8-9 persons

came to the spot, armed with weapons, because of an earlier quarrel between the Complainant and Abhishek's mother, with regard to release of water. It is alleged that the Applicant assaulted the Complainant with a stick on his eye brow and other assailants assaulted him by an iron rod on the Complainant's back, left hand and shoulder. A perusal of the Injury Certificate of the Complainant / Injured – Vikram Singh shows that he has sustained three injuries which are simple in nature and one grievous injury i. e. fracture of his little finger. As far as the injury allegedly caused by the Applicant is concerned, the said injury is stated to be simple in nature. The Applicant is a student studying in 3rd year B.Com. The Applicant is in custody since 17.06.2019.

4. Considering the aforesaid, further detention of the Applicant is not warranted. Accordingly, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

- (i) The Applicant be released on **cash bail** in the sum of Rs. 10,000/-, **for a period of six weeks;**
- (ii) The Applicant shall within the said period of six weeks, furnish P. R. Bond in the sum of **Rs. 10,000/-** with one or two sureties in the like amount;

(iii) The Applicant to co-operate with the conduct of the trial and attend all the dates before the trial Court, unless exempted.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. 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.

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

(REVATI MOHITE DERE, J.)