

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1618 OF 2019

Akbar Babu Shaikh (Ghasi)] ... Applicant
Versus
The State of Maharashtra] ... Respondent

Mr. Sanjeev Deore i/b Mr. Vaibhav Kadam, Advocate for the Applicant.

Mr. S.H. Yadav, APP for the State/Respondent.

PSI S.A. Patil attached to Yevala Police Station present.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 23rd JULY, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.I-64/2019 registered at Yeola Police Station, Nashik u/sec.307, 452, 143, 147, 148, 427, 324, 325 r/w 149 of I.P.C. and u/sec.135 of the Maharashtra Police Act and u/sec.4 r/w 25 of the Indian Arms Act.
2. The FIR is lodged by one Jafar Shaikh. He has stated in his FIR that, on 29/04/2019 at 5.00 p.m., when he was at home about 7 persons came in front of his house. The applicant was one of them. The informant was called outside his house. One of them, accused him of having illicit relations with one known person. While he was trying to discuss with those people, suddenly they got angry and

accused Samir Ansari gave a blow of sword on his head. The other accused assaulted him with hockey sticks on his legs, back and shoulder. It is alleged that, the present applicant and one other accused assaulted him with kicks and fist blows on his mouth, hands and legs. His motorcycle was damaged. On this basis, the FIR is lodged.

3. Heard Mr. Sanjeev Deore, Ld. Counsel for the Applicant and Mr.S.H. Yadav, Ld. APP for the State/Respondent.

4. Ld. Counsel for the applicant submits that, the informant has suffered simple injuries and there is no serious role attributed to the applicant.

5. Ld. APP submitted that, looking at the manner in which the informant was assaulted by the present applicant, he did not deserve protection of anticipatory bail.

6. I have perused investigation papers produced before me. Those papers contain the medical certificate in respect of the injuries suffered by the informant. It shows that, there was a head injury and multiple

CLW's over occipital region of dimensions 3 x 2 x 1 cm. There were three blunt traumas on nose, mouth and chest. The medical certificate did not reveal that, these injuries was grievous or serious. In this view of the matter, Section 307 of I.P.C. prima facie does not seem to be attracted. In any case, even as per the allegations, the applicant was not carrying any weapon and he had given blows with fists to the informant. Therefore, custodial interrogation of the applicant is not necessary, though, he will have to co-operate with the investigation. Hence, the following order.

ORDER

1. In the event of his arrest in connection with C.R.No.I-64/2019 registered at Yeola Police Station, Nashik, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
2. The applicant shall attend the concerned police station as and when called.
3. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)