

with a known lady. While the informant was trying to discuss with those persons, suddenly they got angry and the accused Samir Ansari gave a blow of sword on his head. The other accused assaulted him with hockey sticks on his neck, back and shoulder. It is alleged that, the present applicant was carrying a hockey stick and he along with others assaulted the first informant on his hands, legs, back and shoulder. His motorcycle was damaged. On this basis, the FIR was lodged.

3. Heard Mr. Sanjeevkumar Deore, Ld. Counsel for the Applicant and Mr. S.S. Pednekar, Ld. APP for the State/Respondent.

4. Ld. Counsel for the applicant submitted that, the informant had suffered simple injuries and there was no serious role attributed to the applicant. Ld. Counsel for the applicant invited my attention to the order passed by this court on 23/07/2019 in ABA No.1618/2019 wherein anticipatory bail was granted to one Akbar Babu Shaikh (Ghasi). In that order, it was observed that prima facie Section 307 of

I.P.C. does not seem to be attracted. He also submitted that the applicant is suffering from cancer.

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. These papers contain medical certificate in respect of the injuries suffered by the informant which shows that, there was a head injury and multiple CLWs over occipital region of dimensions 3 x 2 x 1 cm. There were three blunt traumas on nose, mouth and chest. The medical certificate does not indicate that, any of these injuries was grievous or serious.

7. In any case, it is alleged that, the applicant had given blow with hockey stick on hands, legs, back and shoulder, there are no corresponding injuries reflected in the medical papers. Considering the co-accused whose role more or less is similar ; is granted

anticipatory bail by this court and also considering the fact that, the applicant is suffering from cancer, even he deserves protection of anticipatory bail. 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. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)