

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2229 OF 2019

Mr. Abusahib Abu Hurera Chaudhari ...Applicant

V/s.

The State of MaharashtraRespondent

Mr. Amrish R. Salunkhe, Advocate for the applicant.

Ms. Rutuja Aambekar, APP for State.

P.S.I., Jaydeep Jadhav, Byculla Police Station
present.**CORAM : SANDEEP K. SHINDE, J.****Thursday, 14th November, 2019.****P.C. :**

1. Heard learned Counsel for the applicant and learned APP for State. The Investigating Officer, Mr. Jaydeep Jadhav is present in Court.

2. The applicant seeks his enlargement on bail in Crime No. 146 of 2018 registered with

Byculla Police Station for the alleged offences punishable under Sections 302, 143, 144, 147. 148, 149, 323, 324, 504, 506 of the Indian Penal Code and Section 37(1)(a) of the Indian Arms Act and Section 135 of the Mumbai Police Act.

3. There are nine accused out of which two are juvenile in conflict with law. Chargesheet has been filed against five accused.

4. It is submitted that accused nos.1, 3 and 4 are released on bail by this Court.

5. The alleged incident had occurred on 1st July, 2018. The applicant came to be arrested on 17th July, 2018.

6. The learned Counsel for the applicant has relied on the order passed by this Court in Bail Application No. 366 of 2019. Vide this order, co-accused, Zeeshan Sayyed is directed to be released on bail.

7. The role attributed to the present applicant is the same which has been attributed to the Zeeshan Sayyed.

8. The test identification parade was held on 19th September, 2018. The applicant was identified by the witnesses. Co-accused, Zeeshan was also identified in Test Identification Parade, as evident from the observations made in the para-4 of the order dated 5th August, 2019 in Bail Application No. 366 of 2019.

9. In view of this, the applicant is entitled to be released on bail.

ORDER

(i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(ii) The Applicant shall attend the concerned

Police Station, on the first Saturday of every month, between 10 a.m. to 11 a.m. till the conclusion of trial.

(iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the Police Station concerned, in writing.

(iv) The applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case.

10. The Bail Application is allowed and disposed off in aforesaid terms.

(SANDEEP K. SHINDE, J.)