

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2767 OF 2019

Shabbir Abdul Shaikh	...Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. Aniket Vagal, Advocate for the applicant.

Mrs. Sharmila Kaushik, APP for State.

API, Mr.L.B.Chavan, Narpoli Police Station present.

CORAM : SANDEEP K. SHINDE, J.

Friday, 22nd November, 2019.

P.C. :

1. The applicant is seeking his release on bail in Crime No.I-396 of 2018 registered with the Narpoli Police Station, Thane for the alleged offences punishable under Sections 307, 364, 323, 504, 506, 143, 145, 147 and 149 read with Section 34 of the Indian Penal Code and Sections 37(1) and 135 of the Maharashtra Police Act.

2. It is alleged, on 2nd October, 2019 the complainant (injured) was forcibly moved away in the autorickshaw of one Pradeep at the instance of the applicant at knife point. It is alleged, the applicant and other co-accused inflicted fist-blows and kick and attempted to throw the complainant in the creek.

3. The co-accused to whom similar role has been attributed is released by this Court vide order dated 17th September, 2019 in Criminal Bail Application No. 2414 of 2019. Another co-accused is also released on bail on 4th November, 2019 in Criminal Bail Application No. 2861 of 2019.

4. The applicant is in custody since 21st November, 2018. Investigation is over. The Injury Certificate shows complainant alleged to have sustained simple injuries. In view of this, the following order is passed :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant arrested in C.R. No. I-396 of 2018 registered with the Narpoli Police Station, Thane, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or more sureties in the like amount.

(iii) The applicant shall attend the concerned Police Station as and when called.

(iv) The applicant shall furnish the particulars of his latest place residence and mobile contact number and/or change of residence or mobile details, if any, to the Investigating Officer of the Police Station concerned within seven days from today;

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

(vi) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted.

(vii) The applicant shall file an Undertaking with regard to (iii) to (vi) in the trial Court, within two weeks of his release.

5. The Bail Application is accordingly disposed off.

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.

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

(SANDEEP K. SHINDE, J.)