

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

29 ANTICIPATORY BAIL APPLICATION NO.511 OF 2021

**INTEKHAB ALAM @ JUNED S/O. SALIM SHAIKH
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Kawade Shrikant G.
APP for Respondent-State : Mr. A.V. Deshmukh
...

CORAM : SANDEEP K. SHINDE , J.

Date :- 12th July, 2021.

P. C. :

1. Apprehending the arrest in connection of Crime No. 22 of 2021 registered with Peth Beed Police Station, Beed for the offences punishable under Sections 307, 324, 323, 504, 143, 147, 148, 149 of Indian Penal Code ('IPC' for short) and under Sections 4 and 25 of the Indian Arms Act, the applicant is seeking pre-arrest bail.

2. Prosecution has alleged that applicant being a member of unlawful assembly, in prosecution of its common object, mounted the assault on four persons by deadly weapons. The complaint indicates the incident had taken place and ensued only after informant tried to persuade applicant from hurling abuses. The allegations of using deadly weapon i.e. 'Gupti' by applicant are not compatible with the material on record, in as much as, four persons had received simple injuries by hard and blunt object. The kind of injuries were the abrasion, contusion and

C.L.W's. Four co-accused have been granted pre-arrest bail by this Court on 3rd May, 2021. There are no criminal antecedents against the applicant.

3. It further appears that the statement of injured and one witness were also recorded under Section 164 of the Code of Criminal Procedure and therefore the possibility of tampering witnesses is also ruled out. For the reasons stated, application is allowed;

4-(i). In the event of arrest of applicant in connection with crime No. 22 of 2021 registered with Peth Beed Police Station, Beed for the offences punishable under Sections 307, 324, 323, 504, 143, 147, 148, 149 of Indian Penal Code ('IPC' for short) and under Sections 4 and 25 of the Indian Arms Act, he shall be released on bail on executing P.R. bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

(ii). The applicant shall report to the Investigating Officer, on 15th, 22nd and 29th of July, 2021, in between 11:00 a.m. to 1:00 p.m. and thereafter as and when called by the Investigating Officer.

5. Application is allowed and disposed of.

(SANDEEP K. SHINDE)
JUDGE