

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 170 OF 2021

Sandip Punwasi Zoliwala	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. Arvind Tiwari i/b. Arvind Tiwari & Associates Advocate for the Applicant.

Ms. M. R. Tidke, APP for the Respondent – State.

Mr. Mansing Patil, M.H.B. Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 16th FEBRUARY, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No.717 of 2020 registered with MHB Police Station, Mumbai for offences under Sections 326, 324, 323, 504, 506, 143, 147 and 149 of Indian Penal Code.

2. From the perusal of the FIR dated 27th October 2020 it is apparent that the incident had occurred all of a sudden. The complainant was assaulted by iron rod on head by co-accused. The applicant had participated in the assault and attributed role of assaulting with fist and kick blows.

3. Learned APP submitted that the injured had suffered fracture to his wrist. Three accused were arrested. They were the persons who were attributed role of assaulting by weapon. Pursuant

to the arrest, they were granted regular bail. There are no criminal antecedents against the applicant. The applicant has allegedly assaulted by fist and kick blows. The applicant was granted interim protection by order dated 4th February, 2021 with direction to appear before the Investigating Officer. The applicant had complied the said direction.

4. In the factual matrix of this case the applicant need not be subjected to custodial interrogation. Interim protection granted by this Court can be confirmed. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application No. 170 of 2021 is allowed;
- (ii) Interim order passed by this Court dated 4th February, 2021 is confirmed.
- (iii) In the event of arrest of the applicant in connection with in C.R. No.717 of 2020 registered with MHB Police Station, Mumbai, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iv) The applicant shall appear before the investigating officer as and when called for.
- (v) Anticipatory Bail Application stands disposed of accordingly.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)