

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 315 OF 2021

Ayaz Ayub Charoliya	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Ms. Kshitija Vaidye i/b. Mr. Navin Shrivastava, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for the Respondent – State.

Mr. Rahul Kumbhar, P.S.I. Kurar 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. 28 of 2021 registered with Kurar Police Station, Mumbai for offences under Sections 326, 323, 504 of Indian Penal Code. The FIR was lodged on 19th January, 2021.

2. The case of the complainant is that, on account of previous quarrel, the complainant was assaulted by the applicant. He was armed with wooden bat. According to complainant one blow was given on his head. Apparently there is no injury on the head.

3. Learned APP submitted that injury certificate shows that there is fracture to the finger.

4. Quarrel had occurred at the spur of moment. There is no

injury on the head. There are no criminal antecedents against the applicant. Considering the factual matrix of this case, the applicant need not be subjected to custodial interrogation. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application No. 315 of 2021 is allowed;
- (ii) In the event of arrest of the applicant in connection with in C.R. No. 28 of 2021 registered with Kurar 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;
- (iii) The applicant shall attend the investigating officer on 23rd, 24th & 25th February, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for.
- (iv) 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.)