

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.328 OF 2021

Vinod Magan Waghela

Applicant

versus

The State of Maharashtra

Respondent

Mr.Vijay R. Sahetia for applicant.

Mrs.Veera Shine, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 12th February 2021

PC :

1. This is an application for anticipatory bail in CR No.439 of 2020 registered with RCF Police Station for offences under Sections 326, 324, 509 r/w 34 of Indian Penal Code. The FIR was lodged on 23rd December 2020. Subsequently Section 304 has been invoked.

2. It is submitted that applicant's name has been mentioned in the FIR, however, it was stated that the applicant's name was disclosed by one Aayesha Nasim Shaikh who is the friend of complainant. It is submitted that she is anemically disposed of against the applicant. It is alleged that the role attributed to the applicant is that he assaulted by bamboo. Person who assaulted by knife has been arrested and two persons who were attributed role of assaulting by bamboo were arrested. Person assaulted by bamboo stick is released on bail. The injuries sustained by the injured were of simple nature. The applicant need not be subjected to custodial interrogation.

Manish
S. Thatte

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Manish S. Thatte
Date: 2021.03.10
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3. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) In the event of arrest, the applicant is directed to be released on bail in connection with CR No. 439 of 2020 registered with RCF Police Station, on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall appear before the Investigating Officer on 17th, 18th and 19th February 2021 between 11 am and 1 pm and thereafter as and when called for till filing of charge sheet;
- (iv) The applicant shall not tamper with evidence and shall not call the complainant and/or any of the witnesses.

4. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST