

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 449 OF 2021

Tajo Yusuf Shaikh ... Applicant

Versus

The State of Maharashtra ... Respondent

.....
Mr. Satish R. Mishra, Advocate for the Applicant.
Mr. S. S. Pednekar, APP for the Respondent – State.
.....

CORAM : PRAKASH D. NAIK, J.

DATE : 25th FEBRUARY, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 970 of 2020 registered with Kandivali Police Station, Mumbai on 23rd December, 2020 for offences under Sections 387, 506(2), 504, 323 r/w Section 34 of Indian Penal Code and Section 37A of Maharashtra Police Act.

2. It is alleged that the complainant and her son were threatened and assaulted by the accused. According to the complainant she went to the place of incident to inquire about her hut which was demolished by the collector. The complainant made inquiry with the applicant about document in relation to hut. At that time the applicant told them that there was no hut at the said place.

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The complainant were threatened on 20th December, 2020, when the complainant and her son had reached the place where the hut were erracted in the past. At that time the applicant, another lady, son and one Sameer Qureshi approached her. Sameer Qureshi was armed with knife. He threatened the complainant and another person. The applicant assaulted her by fist blows. The co-accused Sameer pointed knife at the chest of Soheli and took the amount of Rs.5,000/- from pocket.

3. The contention of the applicant is that the case is false. The applicant is falsely implicated in this case. The applicant was not armed with weapon. No role of assault attributed to applicant. The co-accused Sameer Qureshi was allegedly holding knife. He has been arrested and released on bail. In these circumstances, case for grant of anticipatory bail is made out. Hence, I pass the following order:

ORDER

- (i) Anticipatory Bail Application 449 of 2021 is allowed;
- (ii) In the event of arrest of the applicant in connection with in C.R. No. C.R. No. 970 of 2020 registered with Kandivali 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 8th 9th & 10th of March, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of charge-sheet.

(iv) Anticipatory Bail Application stands disposed of accordingly.

4. 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.)