

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

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
Date: 2021.10.25
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BAIL APPLICATION NO.1736 OF 2021

Mr. Hanzala Ayub Khan Applicant

Vs.

The State of Maharashtra Respondent

Mr. Samyak K. Gimekar for Applicant.

Mr. A.R. Kapadnis, APP for State.

PSI Mali, Shahu Nagar Police Station.

Coram : NITIN W. SAMBRE, J.

Date : 25TH OCTOBER, 2021

P.C.:

1. The applicant is seeking regular bail Crime No.341 of 2020, registered with Shahu Nagar Police Station, for an offence punishable under Sections 326, 323, 504, 506 read with 34 of Indian Penal Code and 4 and 25 of Arms Act, in which he was arrested and charge-sheeted.
2. The prosecution case is, alongwith brother Maz Khan, the applicant assaulted the informant on his head and left hand.

3. The role attributed to the applicant is use of wooden bat.
4. Learned APP opposed the prayer.
5. Considered submissions.
6. The fact remains against the applicant are, there are no antecedents. The role attributed to the applicant is that of use of wooden bat, whereas role against other accused against whom there are criminal antecedents is use of knife in commission of crime.
7. Considering the role attributed to the applicant and medical reports speaks of cause of simple injuries by using blunt wooden bat, in my opinion, a case for grant of bail is made out. The application is allowed on following conditions :

ORDER

- (i) The applicant be released on bail in Crime No. 341 of 2020, registered with Shahu Nagar Police Station, for an offence punishable under Sections 326, 323, 504, 506 read with 34 of Indian Penal Code and 4 and 25 of Arms Act, on furnishing P.R. bond in the sum of 15,000/- with one or more sureties in the like amount.

(ii) The applicant shall neither influence the prosecution witnesses in any manner nor tamper with the evidence.

(iii) The applicant shall attend concerned Police Station in first week of every month from 10.00 am. to 12.00 hours, till charge is framed.

(iv) The applicant shall stay outside jurisdiction of the concerned Police Station, but for aforesaid cause.

(NITIN W. SAMBRE, J.)