

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

**ANTICIPATORY BAIL APPLICATION NO.1758 OF 2021**

|                              |                 |
|------------------------------|-----------------|
| 1. Sajid Mohd Laddan Khan, & |                 |
| 2. Imran Safikulla Khan.     | .... Applicants |
| Versus                       |                 |
| The State of Maharashtra     | .... Respondent |

Mr. Shadab Khopekar, Advocate i/b. Mehboob Khan, for the Applicant.

Smt. M.R. Tidke, APP for the Respondent-State.

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**CORAM : SARANG V. KOTWAL, J.**

**DATE : 29<sup>th</sup> JULY, 2021**

**[Through Video Conferencing]**

**P.C. :**

1. The applicants are seeking anticipatory bail in connection with C.R.No.528/2020 registered at Kashimira Police Station, Thane on 10.7.2020 under sections 354, 324, 427, 504 read with 34 of the Indian Penal Code.

2. The FIR is lodged by the first informant victim herself. She has stated that on 9.7.2020 she was proceeding towards Kashimira in their car at around 7:00 p.m. to buy medicines. The car was driven by her husband. At about 7:15 p.m., one bullet-motorcycle overtook their car. He intercepted their vehicle and

started abusing the informant's husband. The informant and her husband tried to explain their position. The motorcycle rider called somebody telephonically. One Innova car came there. Three other persons got down from that car. They started abusing the informant's husband. One of them, who was described as 'a fat man' took out a wooden stick and gave blow to the informant's husband. It is alleged that he touched the informant inappropriately and pushed her. He again gave blows to informant and her husband. In the incident, the informant lost her golden-chain. After that the accused left the place. On this basis, the FIR is lodged.

3. Learned counsel for the applicant submitted that the person who had started the quarrel, i.e. the motorcycle rider, is already granted anticipatory bail by the Sessions Court. There is hardly any role played by both the applicants in this case.

4. Learned APP, on instructions, submitted that the investigation has revealed that the main allegations are against the 'fat man' and the applicants had accompanied him.

5. I have considered these submissions. Considering the

allegations in the FIR, it does appear that the quarrel had taken place because of some road-rage. It was not a pre-planned offence. In the entire incident, both the applicants are not attributed any role except that they had come on the spot and had accompanied the third person. The main allegations are directed against that third person.

6. In this view of the matter, custodial interrogation of the applicants will not serve any purpose. They can be protected by anticipatory bail order. Hence, the following order :

**ORDER**

- (i) In the event of their arrest in connection with C.R.No.528/2020 registered with Kashimira Police Station, Thane, the applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each with one or two sureties each in the like amount.
- (ii) The applicants shall attend the concerned police station as and when called and shall cooperate with the investigation.
- (iii) Anticipatory Bail Application stands disposed of accordingly.

**(SARANG V. KOTWAL, J.)**