

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

CRIMINAL BAIL APPLICATION NO. 1354 OF 2020

Shailendra Deshraj Sharma

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Hemant Kenjalkar a/w. Ms. Minal Kamble, Advocate for the Applicant.

Mrs. Veera Shinde, APP for the Respondent – State.

PSI-Gorakhnath Santu Avhad, Kolsewadi Police Station.

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CORAM : PRAKASH D. NAIK, J.

DATE : 1st MARCH, 2021.

PC :

1. This is an application for bail in connection with C.R. No. I-477 of 2019, registered with Kolsewadi Police Station for the offences punishable under Sections 307, 323, 504, 506, 427 of Indian Penal Code, 1860 (“IPC”). The applicant was arrested on 18th July, 2019.

2. The First Information Report (“FIR”) was registered on 19th July, 2019 alleging that the complainant was proceeding on the date of incident. Two persons were riding on scooter. Complainant was walking through road. They are drove close to complainant. There was altercations between them. The complainant was assaulted by fist blows. One of them took out the knife, gave blows

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on the abdomen of the complainant. He sustained injuries. FIR was registered. Injured was treated in hospital. It is submitted that the applicant is in custody from 18th July, 2019. There are no criminal antecedents. The incident had occurred at the spur of moment. There was no per-mediation.

3. Learned APP submitted that for no reason the complainant was assaulted. The applicant was carrying knife with him. The complainant had sustained three injuries, one of them was in grievous nature. The assault was on left lower chest and abdomen and left occipetal scalp and left chest. The manner in which the complainant was assaulted has to be considered.

4. The incident had occurred on 18th July, 2019. Immediately after the registration of FIR, the applicant was arrested. The complainant had sustained injuries. He is out of danger. The applicant is in custody period of about one and half year. There are no criminal antecedents.

5. Hence, I pass the following order

ORDER

- i) Bail Application No. 1354 of 2020, is allowed;
- ii) The applicant is directed to be released on bail in

connection with C.R. No. I-477 of 2019, registered with Kolsewadi Police Station on executing PR. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or more sureties in the like amount;

- iii) The applicant shall report concerned police station once in three months on every first Saturday between 11.00 am. to 1.00 pm. till further order.
- iv) The applicant shall not approach the complainant and shall not tamper with the evidence;
- v) The applicant shall not enter into vicinity of the residence of the complainant;
- vi) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)