

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1847 of 2021

Shakil Dada Mulani	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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Mr. V.S. Talkute for the applicant.
Mr.S.H. Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 10th AUGUST, 2021

P.C:-

1 The applicant is arraigned as Accused no.2 in C.R.No. 426/21 registered with Sangola police station, thereby invoking Sections 307, 323, 504, 506 read with Section 34 of the IPC.

2 The complainant is one Akhtar Mulani who narrate the incident dated 26th April 2021, when he was chased by the accused no.1 Akil who demanded the amount of Rs.2,000/- advanced by him. It is alleged that though he paid the amount, he was assaulted by fists and blows by him and he also called his nephew on the spot with weapons. On his arrival, it is alleged

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that Akhil made him fell on the ground and forced him to shell out Rs.1,000/-. The allegation is the present applicant caught hold of him and accused no.2 Akil gave blows to him by the weapon in his hand resulting into grievous injuries in his head. The Medico Legal Certificate of the injured reflect the following injuries :

*(1) 5x2x1cm bleeding wound over frontal area of scalp, fresh bleeding present. CT head and cerebral edema
Type – Grievous injury*

*(2) 2x1cm bleeding wound over chin of left libia upper third
Type – Simple.
Injury on left knee libia. Type – Simple.*

Injury no.1 is alleged to have been caused by sharp object whereas injury no.2 is opined to be on account of hard and blunt object.

3 Considering the accusations in the complaint as they stand, the applicant has not been attributed the assault but it is alleged that he caught hold of the complainant when accused no.1 assaulted and caused grievous injuries. In the nature of accusations, the custodial interrogation of the applicant is not necessary. He is therefore, entitled to protection. Hence, the following order :-

O R D E R

- (a) In the event of his arrest, the Applicant – Shakil Dada Mulani in connection with FIR No.426 of 2021 registered with Sangola Police Station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall report to the Police Station on every Monday and Friday between 10.00 am to 1.00 p.m for a period of four weeks and render all his co-operation to the Investigating Officer, and thereafter as and when called for.

4 Application is disposed of in the aforestated terms.

SMT. BHARATI DANGRE, J