

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

ANTICIPATORY BAIL APPLICATION NO.2005 OF 2021

Kripashankar Rai @ Guddu

.. Applicant

Versus

State of Maharashtra

.. Respondent

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Mr.Mohammed Umar Z. Kazi a/w. Mr.Ammar I. Nizami i/b.
Mr.Waseem Shaikh, Advocate for the Applicant.

Mr.R.M. Pethe, APP for the Respondent – State.

PSI S.L. Bhapkar, Manpada Police Station, Dombivali, District-
Thane, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : SEPTEMBER 7, 2021.

P.C. :

This is an application for anticipatory bail. The applicant is apprehending arrest in connection with C.R.No.I-364 of 2021, registered with Manpada police station, Dombivali, District-Thane, for the offences punishable under Sections 324, 323 and 504 read with 34 of Indian Penal Code ("IPC", for short). Subsequently, section 326 of IPC was added.

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The case of the prosecution is that the applicant and

three others were involved in the incident of assault. On 11th July, 2021, live electric wire was found in the accumulated water on account of heavy rain. The applicant and his assistant Sadanad Choubey were requested to remove the live wire. There was quarrel and the applicant and others assaulted the complainant. The applicant and Sadanand Choubey were allegedly armed with wooden sticks and involved in assaulting the complainant.

3 The injury certificate indicate that there were injuries to the fore arm which include abrasion. The subsequent injury certificate indicate that there was fracture to fingers of Kumar Dattatraya Sawant. Thereafter, Section 326 of IPC was added.

4 Considering the fact that the incident had occurred at the spur of moment. Applicant is not having criminal antecedents, and, factual aspects of matter, the applicant need not be subjected to custodial interrogation.

:: ORDER ::

- (i) Anticipatory Bail Application No.2005 of 2021, is allowed;
- (ii) In the event of arrest of applicant in connection with C.R.No.I-364 of 2021, registered with

Manpada police station, Dombivali, District-Thane, the applicant be released on bail on executing P.R.Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (iv) Applicant shall appear before the investigating officer on 15th, 16th and 17th September, 2021 between 11:00 a.m. to 01:00 p.m. and, thereafter, as and when called for, till charge-sheet;
- (v) Anticipatory Bail Application No.2005 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)