

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

ANTICIPATORY BAIL APPLICATION NO.2529 OF 2021

Mohammed Shoaib Sarwar Khan Applicant

Vs.

The State of Maharashtra Respondent

Mr. Imran Shaikh for Applicant.

Ms. Sharmila S. Kaushik, APP for State of Maharashtra.

PSI D.B. Anande, Chunabhatti Police Station.

Coram : NITIN W. SAMBRE, J.

Date : 25TH OCTOBER, 2021

P.C.:

1. The applicant is seeking pre-arrest bail in Crime No. 25 of 2020, registered with Chunabhatti Police Station, for the offence punishable under Sections 143, 147, 148, 149, 326, 323, 504 of the Indian Penal Code.

2. The prosecution story is out of differences the applicant alongwith two other accused assaulted the complainant with iron rod.

3. As far as accused Gappu and Immu are concerned, I am informed that they are released on bail.

4. It appears from the F.I.R. that though the incident had taken place in between complainant and accused, they settled the matter and thereafter the complainant lodged the F.I.R.. However, no reasons are mentioned.

5. Apart from above, the statement is made as regards three of accused i.e. applicant and two others i.e. Gafur and Immu, they are carrying iron rods, whereas corresponding injury is noticed is by wooden stick. As such, false implication against the applicant cannot be ruled out.

6. There are no criminal antecedents. That being so, a case for grant of protection is made out. Hence, following order :

ORDER

i) In the event of arrest in Crime No. 25 of 2020, registered with Chunabhatti Police Station, for the offence punishable under Sections 143, 147, 148, 149, 326, 323, 504 of the Indian Penal Code, the applicant be released on bail on their executing P.R. bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

ii) The applicant is directed to attend the concerned Police Station from 27th to 30th October, 2021 in between 10.00 am. to 12.00 pm. and thereafter as and when directed;

iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence.

7. The application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)