

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.830 OF 2022

Fayyaj Nisar Shaha

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENTS

.....
Mr. S.S. Kazi, Advocate with
Mr. Shaikh M.N., Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 1st AUGUST, 2022.

PER COURT :

Heard learned counsel for the applicant. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.160/2022, registered at M.I.D.C. Cidco Police Station, District Aurangabad for the offence punishable under Sections 307, 504, 506 of the Indian Penal Code.

2. The F.I.R. has been lodged by the victim himself. It is alleged therein that the applicant herein has assaulted him at his left rib with a knife. The incident is dated 2/5/2022.

3. It is informed that, the informant/ victim was discharged from the hospital two days after the incident. The Medical Officer has not described the injury whether it is a simple or grievous. It is informed that the charge sheet has been filed. It is the case of the applicant that he was in fact assaulted by the informant and 3 others. He was produced for remand. He had applied before the Court for his medical examination. The learned Judicial Magistrate, First Class had noticed injuries on his rib as it was under bandage.

4. Since charge sheet has been filed and the informant to have been discharged from the hospital on the third day of the alleged incident, I am inclined to grant bail to the applicant. Hence the order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant be released in connection with Crime No.160/2022, registered at M.I.D.C. Cidco Police Station, District Aurangabad for the offence punishable under Sections 307, 504, 506 of the Indian Penal Code.on his executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) with one surety in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence.

**(R. G. AVACHAT)
JUDGE**

fmp/-