

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO.183 of 2022**

(modified as per order dated 29/9/2022)

Naresh Hanumantha Narsappa @ .. Applicant
Butter @ Batti @ Budemolu

Versus

The State of Maharashtra .. Respondent

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Ms.Dhanashree Lad with Aziz Khan for the applicant.

Mr.S.V.Gavand, APP for the State.

PSI Shri Morade from Dharavi police station.

CORAM: BHARATI DANGRE, J.

DATED : 20th SEPTEMBER 2022

P.C:-

1 The case of the prosecution, as contained in the charge-sheet filed in the subject C.R is, applicant assaulted one Sameer Nasir Shaikh, aged 21 years when he was present in the company of his friends Prashant @ Babu Ashok and Haji Malan, the complainant in an open ground at around 11.45 p.m on 29/11/2019. It is alleged that the present applicant who was walking across the place where they were sitting and chit-chatting and Sameer asked for his motorcycle, and a quarrel ensued between the two. Sameer slapped Naresh who left the place and arrived immediately with a pointed knife in his hand and he is

alleged to have assaulted Sameer in his chest. He also intended to mount an assault on his neck, but when he moved back, the knife caused injury to Babu on his leg.

The injury certificate placed on record refer to three injuries, out of which a 5 x 5 cm penetrating stab injury on the left side of chest wall anteriorly just below medial end of left chamber between 1st and 2nd intracostal space is a grievous injury. Other two injuries are simple in nature.

2 Considering that the applicant is arrested on 30/11/2019 and on completion of investigation, the charge-sheet is filed, but till date, the charge has not been framed, and hence, looking to the scenario and the progress of the case, the applicant deserve his release on bail. Since the trial may consume considerable time, he, should however, be imposed with a strict condition of not entering the jurisdiction of Dharavi Police Station, except for the purpose of marking his attendance as directed. Hence, the following order :-

ORDER

- (a) The Applicant – Naresh Hanumantha Narsappa @ Butter @ Batti @ Budemolu in connection with C.R.No.563/2019 registered with Dharavi 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. The Applicant should not tamper with evidence.
- (c) The Applicant shall attend first Saturday of every trimester during the course of the day.
- (d) The applicant shall not enter the Dharavi jurisdiction, except for the limited purpose of marking his attendance.
- (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, if there is any change.

The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)