

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

ANTICIPATORY BAIL APPLICATION NO. 1187 OF 2022

Amir Mohammed Ali Momin	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. G.J. Jain a/w. Mr. F.N. Momin for the Applicant.
Mr. M.G. Patil, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th APRIL, 2022.

P. C. :-

1. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.78/2022 registered with Bhoiwada Police Station, Dist. Thane for offences punishable under sections 325, 323, 504, 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. G.J. Jain, learned counsel for the Applicant and Mr. M.G. Patil, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the First Information Report (FIR) lodged by Mirajuddin Mohammad Shamim

Ansari. The FIR prima facie reveals that there was a civil dispute between the complainant and the family members of the Applicant. On 05/04/2022, both parties had worked together to resolve the dispute amicably. It appears that the dispute could not be resolved. The complainant has alleged that the Applicant and others had abused and assaulted him. The specific allegations against the Applicant are that he had assaulted the complainant by kicks and blows. The grievous injury sustained by him on his left palm was allegedly caused by the co-accused – Badruddin Ansari.

4. Considering the role attributed to the Applicant, in my considered view, this is not be a case which would justify custodial interrogation. Hence, the Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.78/2022 registered with Bhoiwada Police Station, Thane, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer for two days on 2nd and 3rd May, 2022 between 11:00 a.m. to

02:00 p.m.

(c) The Applicant shall not interfere with the complainant and other witnesses and/or shall not tamper with the evidence in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

PREETI
H
JAYANI

Digitally signed
by PREETI H
JAYANI
Date: 2022.04.30
19:22:47 +0530