

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1970 OF 2022

Shahid Lal Mohammad Ansari .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Vedchetan Patil a/w Mr. Vishwa Patil for the Applicant.
Mr. S.V. Gavand, A.P.P. for the State/Respondent.
Mr. Anand Rathod, PSI, Bhoivada Police Station

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CORAM: BHARATI DANGRE, J.
DATED : 14th SEPTEMBER, 2022

P.C:-

1. The applicant is charged for the offence punishable, under section 307, 504 of IPC in C.R. No. 196 of 2020, registered with Bhoivada Police Station. He came to be arrested on 14/11/2020 and since then remain incarcerated.

The prosecution case as compiled in the charge-sheet is, one Khurshid Ansari reported to the police station, stating that his wife and wife of the applicant are real sisters and they reside in the neighborhood. It is alleged that the applicant used to abuse the informant, as he had objection about the children of the informant visiting his house and on this ground on several occasions a quibble had occurred between them.

2. On 26/10/2020, it is alleged that the applicant started abusing the informant and his wife and when she confronted the applicant, he stabbed her with knife three times in her chest causing bleeding injury. An offence for attempting to commit murder came to be registered against him.

The injury certificate of the victim reveal that she sustained 3 injuries described as grievous in nature.

They are situated on Left Anterior Chest Wall, Left Posterior Chest Wall and Left Midclavicular line. The probable weapon used is set out as sharp pointed object. During the course of investigation, the statement of witnesses are recorded, which include the statement of the applicant's wife's who also corroborate the version, that the applicant stabbed Yasmeen, her sister.

3. The injuries sustained are no doubt grievous in nature, and would have been sufficient to cause death, but considering the fact that the quibble ensued between the two families on a trivial ground, which irked the applicant and he stabbed the injured, he may face the consequences at the end of the trial, on being charged for offence to commit murder. At present his incarceration for last two years without the charge being framed till date, deserve his release on bail.

This is however subject to a condition that the applicant and his family shall not stay in Bhivandi and he shall not come within the

jurisdiction of Bhoivada Police Station, except for marking his attendance.

: ORDER :

- (a) Application is allowed.
- (b) Applicant - Shahid Lal Mohammad Ansari shall be released on bail in connection with C.R.No. 196 of 2020 registered with Bhoivada Police Station on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.
- (c) The applicant shall mark his attendance before the concerned police station on first Monday of the Trimester between 4:00 p.m to 6:00 p.m till framing of charge and, thereafter, shall abide by the directions issued by the trial Court.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) The applicant shall not stay in the area of Bhivandi and he shall not come within the jurisdiction of Bhoivada Police Station, except for marking his attendance.
- (f) On being released on bail, the applicant shall give his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(SMT. BHARATI DANGRE, J.)