

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2121 OF 2022
ALONGWITH
INTERIM APPLICATION NO.3081 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.2121 OF 2022**

Ayyaz Mohammad Khan	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Hitesh Anil Phulwani for the Applicant.

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

API Bagul, Ulhasnagar Police Station present.

CORAM : BHARATI DANGRE, J

DATE : 21st SEPTEMBER, 2022.

P.C.

1] On confronted with the order passed in the case of co-accused Ajit Gupta who was released on bail in the event of his arrest by order dated 25.08.2022, the learned APP makes a statement that the role attributed to the present Applicant is identical to that of the co-accused Ajit Gupta.

2] Accepting the aforesaid statement, it can be seen that in the order dated 25.08.2022 the case of the prosecution was dealt in depth and noticing that prima facie there is no material justifying invocation

of Section 307 of the Indian Penal Code and alleged attempt to indict the Applicant for the offence under Section 120B, custodial interrogation was held to be not necessary.

3] Apart from this, recording that injury sustained to Ritesh were simple injuries, protection was confirmed upon the co-accused. Benefit of the said order must go the Applicant and he also deserve similar order.

Hence, the following order :

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.55/2022 registered with Ulhasnagar Police Station, the applicant Ayyaz Mohammad Khan 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.
- (c) The applicant shall report to the concerned police station on 28.09.2022 and 29.09.2022 at 1.00 p.m. and thereafter as and when called for.
- (d) 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 and should not tamper with evidence.
- (e) Interim Application is also disposed off.

[BHARATI DANGRE, J]