

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2357 OF 2022

Veer Sham Dulgaj and another	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Zaid Qureshi, Advocate for applicant.
Mr.M.G.Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th October 2022

PC :

1. The applicants are apprehending arrest in C.R No.250 of 2022 registered with Dehu Road Police Station for offences under Sections 326, 323, 143, 147, 148, 149, 506 IPC, under Sections 25, 27 and 4 of Arms Act and u/s.37(1)(c) of Maharashtra Police Act. The case of prosecution is that the applicants had assaulted the complainant. The applicant no.1 was allegedly holding sickle and applicant nos.2 and 3 had allegedly assaulted by fist and kick blows.

2. The contention of applicants is that cross FIR has been registered at the instance of applicant no.1 vide C.R No.249 of 2022 registered with same police station for the offences under Sections 307, 143, 147, 148, 149, 504, 506 of IPC. The complainant who has lodged the FIR against applicants is impleaded as accused no.2 in the cross FIR. Applicant no.1 has suffered stab injury on his chest

3. Learned APP submitted that although cross FIR has been registered, role of assault has been attributed to the applicants. It is

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pertinent to note that serious injury has been caused to applicant no.1. Hence FIR has been lodged by applicant no.1 u/s.307 of IPC. Applicant nos.2 and 3 are attributed the role of assault by fist and knife blows. Considering the facts, anticipatory bail can be granted to applicants.

ORDER

- (i) Anticipatory Bail Application is allowed and disposed off;
- (ii) In the event of arrest of applicants in connection with C.R No.250 of 2022 registered with Dehu Road Police Station, the applicants be released on bail on executing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicants shall report Dehu Road Police Station on 17th, 18th and 19th October 2022 between 11 am and 1 pm and thereafter as and when called for.

(PRAKASH D. NAIK, J.)

MST