

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2779 OF 2022

Riyaz Kamuddin Khan @ Gani	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Gaurav Bhawnani i/b Zeeshan Khan for the Applicant.
Mr.A.R. Kapadnis, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 7th OCTOBER, 2022.

P.C.

1] The Applicant is apprehending his arrest in CR No.896/2021 registered with Dharavi Police Station which invoke offence under Section 326, 387, 120(B), 341, 506(2), 143, 144, 147, 148 and 149 of the Indian Penal Code r/w Section 4, 25, 27 of the Arms Act and Section 37(1)(A), 135 of the Maharashtra Police Act.

2] The subject CR arraign 7 named persons and 4-5 unknown persons . On completion of investigation, charge-sheet has been filed against 5 accused persons and all are released on bail. So far as the present Applicant is concerned he is shown as absconding.

On perusal of the charge-sheet, though the injuries sustained by Afsar Khan is attributed to the present Applicant, on perusal of the injury certificate, it appears a simple injury in the nature of contused

lacerated wound 3 x 1 x 1 cm. on left side of forehead. This is a solitary injury sustained by the victim and the noting record that the patient was advised to follow up, but no further papers are included in the charge-sheet to demonstrate that there was fracture.

3] Considering the fact that investigation is complete and charge-sheet is filed against all other accused persons with the role attributed to the present Applicant clearly surfacing on record with simple injury sustained by the injured, the custodial interrogation of the Applicant is not necessary, he shall, however, co-operate in the investigation.

Hence, the following order :

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.896/2021 registered with Dharavi Police Station, the applicant Riyaz Kamuddin Khan @ Gani 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 12.10.2022 and 13.10.2022 between 3.00 p.m. to 5.00 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.

[BHARATI DANGRE, J]