

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2793 OF 2022

Ayaz Hafiz Pirzade And Anr.	...Applicants
Versus	
State Of Maharashtra	...Respondent

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Mr. Prashant Patil, Advocate for the Applicant.
Mr. N. B. Patil, APP for the Respondent – State.
Mr. R. Mundhe, PSI, Bhadrakali Police Station, Nashik present.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	10th October, 2022.

PER COURT:

1. The applicant is apprehending arrest in C.R. No.I-276 of 2022 registered with Bhadrakali Police Station, Nashik on 17th September, 2022 for the offences punishable under Sections 326, 324, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

2. The complainant Abdul Kadir Rajjak Baig has alleged that on 17th September, 2022 after completing his work, he was returning to his house when he reached near house, he saw that two auto rickshaws were parked on the road. The applicants and Mujjamail Ejaj Pirjade were standing near auto rickshaw. The complainant requested them to move the auto rickshaws so that he could proceed with his four wheeler for parking. The complainant parked his vehicle and he was walking

towards his house. At that point of time Shadab Pirjade, Ayaz Pirjade, (applicants) and Mujjamail followed him. Mujjamail assaulted the first informant on his head by giving blow of stone which resulted in injury. Ayaz Pirjade assaulted with wooden stick and Shadab Pirjade assaulted with fist and kick blows.

3. Cross FIR has been registered at the instance of Mujjamail Pirjade on 18th September, 2022 with same Police Station vide C.R. No.277 of 2022 for offences punishable under Sections 324, 323, 504 and 506 read with 34 of the Indian Penal Code. This said FIR was registered against Kadir Baig, Nayeem Baig and Shaid Baig .

4. Leander APP bough to my notice the injury certificate of the injured Abdul Kadir Rajjak which refers to displaced fracture of nasal bone, displaced fracture at frontal process maxillae, CLW on temporal parietal, region 3 c.m. (suture). This injuries were attributed to assault by Mujjamail. It appear that, no injury on back of the complainant.

5. Considering the role attributed to the complainant they need not be subjected to custodial interrogation.

ORDER

(i) Criminal Anticipatory Bail Application No. 2793 of 2022 is allowed.

(ii) In the event of arrest of the applicant in connection with C.R. No.I-276 of 2022 registered with Bhadrakali Police Station, Nashik. The applicant be released on bail on executing P.R. Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer on 17th, 18th, and 19th October, 2022 between 11:00 a.m. to 1:00 p.m. and there after as and when called for till filing the charge-sheet.

(iv) Criminal Anticipatory Bail Application disposed off.

(PRAKASH D. NAIK, J.)