

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

ANTICIPATORY BAIL APPLICATION NO. 3175 OF 2021

Stanley Brian Francis Almeida Applicant
Versus
The State of Maharashtra Respondent

Mr. Aashish Satpute for Applicant.
Mr. Makarand G. Patil, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 05th JANUARY, 2022
(through Video Conferencing)

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.450 of 2021 registered at Manikpur Police Station, Dist. Palghar, on 25/11/2021, under sections 326 and 323 of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Aashish Satpute, learned counsel for the applicant and Shri. Makarand Patil, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by one Rajesh Chulliparmiballa. He was applicant's friend. On 24/11/2021, the applicant and the informant met in the

applicant's room. The applicant was a Cook and he had requested the informant to have food with him. In the meantime, both of them consumed liquor. At that time, suddenly there was a quarrel between them. There was one more friend accompanying both of them. In the quarrel the applicant suddenly picked up glass liquor bottle and gave forceful blow on the informant's head. The other friend tried to stop him, but the applicant was not ready to hear anything. He continued assaulting the informant with broken bottle causing serious injuries. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicant submitted that the incident took place at a spur of moment. Both of them were friends. There was no premeditation and, therefore, custodial interrogation of the applicant is not necessary. The investigation is almost over.

5. Learned APP opposed this application. He produced medical certificate before me.

6. I have considered these submissions. I have considered the injuries suffered by the first informant. There are 6 CLWs with big dimensions all over his head and on left ear. The nature of

injuries is described as grievous. Dimensions of injuries are also given. Considering the gravity of the offence, no case for anticipatory bail is made out.

7. The application is rejected.

(SARANG V. KOTWAL, J.)