

PMB

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

**ANTICIPATORY BAIL APPLICATION NO.3247 OF 2022**

ASHISH SHAMSHER VAID

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

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Mr. Marmik Shah for applicant.

Mr. S. H. Yadav, APP for State.

Smt. R. V. Salunke, PI, Oshiwara Police Station.  
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**CORAM : M. S. KARNIK, J.**

**DATE : DECEMBER 7, 2022.**

**P.C. :**

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in respect of the offence punishable under Sections 394, 326, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.1474 of 2022 dated 26/10/2022 registered with Oshiwara Police Station.
- 3.** The complaint is lodged by Amit Tejpal Bagadi on 26/10/2022. It is alleged that the quarrel between the

complainant and the accused on 26/10/2022 at around 1.00 p.m. in front of Vaibhav Palace Society, Near Mega Mall, Link Road, Jogeshwari (W), Mumbai. The complainant was at spot along with his friend. There was a quarrel between the complainant and the accused persons. It is alleged that the co-accused has assaulted with the knife and the applicant has assaulted the complainant with the vastara on his head. Though the allegation is made about robbery of the mobile phone, the mobile phone was immediately returned back and recovered. The co-accused has been granted regular bail by the trial Court. The applicant is 21 years of age with no criminal antecedents. The injury report is placed on record which indicates that the complainant suffered simple injuries.

**4.** In this view of the matter, in my opinion, even when the co-accused has been released on bail, though a regular one, the custodial interrogation of the applicant may not be necessary in the present facts. The vastara has already been recovered. There is no recovery to be made. Hence, the following order :-

**ORDER**

(i) In the event of arrest in connection with C.R. No.1474 of 2022 registered with Oshiwara Police Station, applicant-Ashish Shamsheer Vaid shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or more sureties of the like amount.

(ii) The applicant to report to the concerned police station on every Saturday and Sunday between 11.00 a.m. and 1.00 p.m. and thereafter as and when called.

(iii) The applicant to co-operate with the Investigating Officer.

(iv) The applicant shall not enter the area of Oshiwara Police Station except in the course of his employment or for attendance to the police station.

(v) 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.

**5.** The Anticipatory Bail Application is disposed of.

**(M. S. KARNIK, J.)**