

Urmila Ingale

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

ANTICIPATORY BAIL APPLICATION NO.3304 OF 2022

Mr. Sahil Sikandar Gauri ..Applicant
vs.
State of Maharashtra ..Respondent

Mr. Aditya R. Mokashi, for applicant.
Mr.S.H, Yadav, APP for respondent.
Mr. V.S. Chimuda, API, Samata Nagar Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 28, 2022

P.C. :

1. Heard learned counsel for the applicant.
2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No. 1363 of 2022 registered with Samata Nagar Police Station for the offence punishable under sections 141, 143, 145, 149 323, 326, 504 of the Indian Penal Code, 1860.
3. It is alleged that the present application has been filed as a counterblast to one C.R. No. 1362 of 2022 lodged

by the group which the applicant allegedly belongs. It is contended by learned counsel that the CR at the instance of applicant's group is first in point of time.

4. So far as the CR under which the applicant is implicated, the informant suffered a fracture injury on the right hand finger. The medical report records that the injury is grievous.

5. It is alleged that the applicant was present at the time of the incident. The iron rod which was used by one of the co-accused which was the cause for the injury, has been seized. The applicant was not in possession of any weapon. No role has been attributed to the applicant except saying that he was present. The case for grant of pre-arrest bail is made out. Furthermore, nothing is to be recovered. There are cross complaints. The custodial interrogation in such circumstances, in my opinion, is not required as the weapon has already been recovered. The anticipatory bail application deserves to be allowed. Hence the following order.

ORDER

(a) In the event of arrest of the applicant in connection with C.R. No. 1363 registered with Samata Nagar Police Station, the applicant –Sahil Sikandar Gauri be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;

(b) 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;

(c) The applicant shall attend the concerned police station on 31/11/2022, 01/12/2022 and 02/12/2022 between 11.00 a.m. and 1.00 p.m. and thereafter as and when required by the Investigating Officer.

(M. S. KARNIK, J.)