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

ANTICIPATORY BAIL APPLICATION NO.3447 OF 2022

Sher Ali Samshuddin Shaikh and anr. ..Applicants

VS.

The State of Maharashtra ..Respondent

Mr. Sher Ali Samshuddin Shaikh, applicant in person.

Ms. A. A. Takalkar, APP for respondent-State.

Mr. Kiran Patil, API, Rabale MIDC Police Station, Navi Mumbai.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 12, 2022

P.C. :

1. This is an application for pre-arrest bail in respect of the offence punishable under Sections 326, 324, 452, 504 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.311 of 2022 dated 09/11/2022 registered with Rabale MIDC Police Station, Navi Mumbai.

2. The complainant is Mukesh Ramesh Benwal @ Valmiki. It is alleged that the main accused Akbar Shaikh, the applicant Nos.1 and 2 came in the locality where the complainant is residing and assaulted the complainant.

3. The applicant No.1 appeared in person. He stated that he is also representing the applicant No.2, the father of the applicant No.1. I had asked him whether he would like to be represented through a lawyer. I further asked him that if his financial condition is not sound, a lawyer through Legal Aid Services Authority could be provided to him. He submitted that he will argue the matter himself. The applicant No.1 insists that he wants to present evidence to prove that he is not guilty.

4. I have gone through the allegations in the FIR. Specific allegations are levelled against the applicants that they have assaulted the complainant. The date of the FIR is 07/12/2021. The date of the incident is 06/12/2021. I have gone through the injury certificate. It is stated that the complainant was found to be suffered from linear displaced fracture of lamina papyracea of left orbit. He was discharged on 08/11/2022. I do not find this to be a fit case to grant pre-arrest bail to the applicants. There are criminal antecedents reported against the applicants.

- 5.** The Anticipatory Bail Application is rejected.

(M. S. KARNIK, J.)