

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 433 OF 2023**

Mohsin Sayeed Almodi

..APPLICANT

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....  
Mr. P.A. Kulkarni, Advocate for applicant  
Mr. A.S. Shinde, A.P.P. for respondents  
....

**CORAM : R.G. AVACHAT, J.  
DATED : 05<sup>th</sup> APRIL, 2023**

**PER COURT :**

1. This is an application under Section 438 of Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No. 68 of 2023 registered with Jinsi Police Station, Dist. Aurangabad for the offences punishable under Sections 323 and 326 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. The applicant is alleged to have given burns to his own thirteen years old daughter. The F.I.R. has been lodged by the victim herself. The injury certificate has been placed on record to indicate the victim to have suffered superficial burns (healed). The same suggests the injury to be

simple in nature, which could invoke offence under Section 323 of the I.P.C. and not Section 326. The victim has been sent to child care center.

4. In view of above, the applicant needs to be granted anticipatory bail. Hence the following order :-

### **ORDER**

(I) Application is allowed.

(II) In the event of arrest of the applicant, in connection with Crime No. 68 of 2023 registered with Jinsi Police Station, Dist. Aurangabad for the offences punishable under Sections 323 and 326 of the Indian Penal Code, he be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety in the like amount.

(III) The applicant shall mark his appearance at the concerned police station by 12:00 noon every Sunday till next six months.

(IV) The applicant shall appear before the investigating officer, as and when required for the investigating purpose.

(V) The applicant shall not tamper with the prosecution evidence.

**( R.G. AVACHAT, J. )**