



Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO. 2567 OF 2023

Tousif @ Toushib Chandbasha Fakir ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Ritesh M. Thobde with Mr. Sagar Tambe, for Applicant.

Mr. M. G. Patil, APP for State.

CORAM:- N. J. JAMADAR, J.

DATED:- 16th OCTOBER, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) This is an application for pre-arrest bail in connection with CR No. 367 of 2023, registered with Akkalkot South Police Station, District Solapur, for the offences punishable under Sections 307, 341, 354, 354-A, 323, 504 and 506 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
- 3) This Court was persuaded to grant interim bail by an order dated 11th September, 2023, recording, inter alia, as under:-

“5. Prima facie, the presence of the applicant at the scene of occurrence is made out. However, it appears that the co-accused Shakir was pursuing the first informant. In the altercation which ensued, co-accused Shakir took out a knife and stabbed the injured. No role of assault is attributed to the applicant. The question as to whether the applicant shared the common intention may warrant consideration.”

4) The learned Counsel for the applicant submits that pursuant to the aforesaid order, the applicant has appeared before the Investigating Officer.

5) In view of the nature of the accusation and the reasons which weighed with this Court while granting interim bail, I am inclined to make the order of interim bail absolute.

6) Hence, the following order.

ORDER

I) The order of interim bail dated 11th September, 2023 is made absolute on the terms and conditions incorporated therein.

II) The applicant shall henceforth appear before the Investigating Officer as and when directed.

III) The applicant shall regularly attend the proceedings before the jurisdictional Court.

IV) The application stands disposed.

[N. J. JAMADAR, J.]