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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 107 OF 2023**

Mhd. Faisal Ali Sher Ansari
VS.

..Applicant

The State of Maharashtra

..Respondent

Mr. Raunak Naik i/b Lochan Chandka, for the Applicant.
Mr. S. H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 18, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No. 186 of 2022 dated 15/09/2022 registered with Bhoiwada Police Station, District-Thane for the offence punishable under sections 326, 504 of the Indian Penal Code, 1860 ("IPC", for short) and section 75 of the Juvenile Justice (Protection of Children) Act, 2015.

3. The allegation is in respect of an incident which happened on 15/09/2022 at 1.00 a.m. in the intervening

night of 14/09/2022 and 15/09/2022. It is alleged that the victim had a fall about 5 years ago since then there is limb in his left leg and he cannot walk properly. The victim entered the gate of the factory of which the applicant is the owner. It is alleged that the applicant hurled abuses at the complainant and started hitting him on his left leg with a wooden stick lying on the side of the road. FIR came to be lodged under sections 326, 504 of the IPC and section 75 of the Juvenile Justice (Protection of Children) Act, 2015. It is alleged that the victim suffered a fracture injury on his leg.

4. The application was opposed by learned APP. However, the victim's father is present in the Court along with the victim and submitted that the entire medical expenses was borne by the applicant. The incident happened as a result of some misunderstanding and therefore the complainant and the victim stated that they have no objection if the applicant is granted anticipatory bail. The applicant is willing to co-operate with the investigation. Taking an overall view of the matter, present is not a case where custodial interrogation of the applicant is required. No

criminal antecedents are reported against the applicant.

Hence, the following order.

ORDER

(a) In the event of arrest of the applicant in connection with C.R. No. 186 of 2022 dated 15/09/2022 registered with Bhoiwada Police Station, District-Thane, the applicant- Mhd. Faisal Ali Sher Ansari 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 report to the investigating officer on 21st and 22nd January 2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called by the investigating officer and co-operate with the investigation.

5. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)