

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 170 OF 2023**

Riyazoddin Rafiyoddin Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Ganesh Gole i/b Mr. Ateet Shirodkar for the Applicant.

Mr. Bhavin Jain for the Intervener.

Ms Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 JANUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure.

2. The applicant is apprehending his arrest in Crime No. 140 of 2021 registered at Bhadrakali police station for the offences punishable under Sections 397, 504, 506 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the statement of injured- Abdul Hamid Gani Shaikh.

4. There was some financial dispute between the injured and accused No. 1- Sameer @ Badshah. It is alleged that on account of the said dispute

on 30 May 2021, the present applicant and other co-accused assaulted him by iron rod and stick and took away Rs. 15000/-. However, the injured has not attributed any specific overtact to the present applicant in the alleged incident.

5. The learned counsel for the applicant submits that there are no other criminal antecedents. It is submitted that the prosecution has already filed the charge-sheet against the other co-accused.

6. Considering the facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 140 of 2021 registered at Bhadrakali police station for the offences punishable under Sections 397, 504, 506 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station from 1 February 2023 to 3 February 2023 and shall co-operate to complete the investigation against him.

(N.R. BORKAR, J.)

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JADHAV
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