

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3174 OF 2021

Amir M. Shaikh

...Applicant

V/s.

State of Maharashtra and anr.

...Respondents.

WITH

INTERIM APPLICATION NO. 2079 OF 2022

Mr. Mahendra Kawchale a/w. Mr. Jameer Inamdar for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State
Ms Ruchira Karve for the Intervenor/Complainant.

CORAM : N.R. BORKAR, J.
DATE : 08.02.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 564 of 2021 registered at Yerwada Police Station, Pune city for the offences punishable under Sections 307, 326, 143, 147, 148, 149, 504 of the Indian Penal Code, Section 37(1) read with 135 of Maharashtra Police Act and Section 4 read with 25 of Arms Act.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent/ State and the learned counsel for the complainant.
4. According to the prosecution, on the date of incident which took place on 6 November 2021, the present applicant and other

co-accused assaulted the complainant by sharp weapons on account of some financial transaction and attempted to kill him.

5. The complainant has filed the affidavit that due to mistaken identity, he had named the present applicant as one of the assailants. Even otherwise the prosecution has already filed the charge-sheet against the other co-accused. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 564 of 2021 registered at Yerwada Police Station, Pune city for the offences punishable under Sections 307, 326, 143, 147, 148, 149, 504 of the Indian Penal Code, Section 37(1) read with 135 of Maharashtra Police Act and Section 4 read with 25 of Arms Act , the applicant be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C) The applicant shall attend the concerned police station once in a month, i.e., first Saturday between 11:00 a.m. and 2:00 p.m. till conclusion of trial.

6. The Interim Application for intervention is disposed of.

[N.R.BORKAR, J.]