

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2245 OF 2022

Javed Mohd. Idris Ansari ... Applicant

V/s.

State of Maharashtra ... Respondent

.....
Mr. Salman Khan, Advocate for Applicant.
Mr. Y. Y. Dabke, APP for Respondent-State.

.....
CORAM : SHIVKUMAR DIGE, J.

DATE : 25th SEPTEMBER 2023

P. C:-

1. By this Application, Applicant is seeking bail in C.R.No. 67 of 2021 registered with Shanti Nagar Police Station, Bhiwandi for the offence punishable under Section 307 read with 34 of Indian Penal Code, 1860 (for short "IPC").
2. It is the prosecution's case that on 31.01.2021 Applicant and co-accused assaulted first informant and his brother with knife with intention to kill them.
3. It is the contention of learned Counsel for the Applicant that Applicant has been falsely implicated in this case. Cross complaint

is filed by the Applicant against the complainant and his brother. No motive assigned to Applicant for participating in the alleged act of attempt to murder. Investigation is completed and charge-sheet has been filed. The first informant was discharged from hospital after four days. Applicant is behind the bar more than two years. Hence, requested to allow the Application.

4. It is the contention of learned APP that Applicant had assaulted the first informant and his brother with knife on their chest and vital part of the body. Injuries caused to the first informant and his brother were grievous injuries and they were on vital part of the body, the knife used in the crime is recovered at the instance of the Applicant. It shows his involvement in the crime. If Applicant is released on bail he may threaten prosecution witnesses. Hence, requested to reject the Application.

5. I have heard both the learned Counsel. Perused FIR and charge-sheet. The medical papers shows injuries caused to first informant were grievous injuries. First informant was discharged from the hospital after four days. Investigation is completed and charge-sheet has been filed. Applicant is behind the bar more than 2 years. Considering the above facts further detention of Applicant

is not required. Charge has not been framed, it may take time to conclude the trial, in view of the above, I pass following Order:

ORDER

- (i) Applicant be enlarged on bail in C.R.No. 67 of 2021 registered with Shanti Nagar Police Station, Bhiwandi on executing P.R.Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (ii) Applicant shall attend the concerned Police Station once in a month i.e. on first Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.
- (iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- (v) The Trial Court shall decide the said case on its own merits, in accordance with law uninfluenced by the observations made in this order.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

Digitally signed
by SONALI
SATISH KILAJE
Date:
2023.09.27
14:43:28
+0530