

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

CRIMINAL BAIL APPLICATION NO. 2567 OF 2022

Faraz Zaki Fareed	...Applicant
Versus	
State Of Maharashtra	...Respondent

Mr. Pranil Sonawane a/w Mr. Raj Chourasia i/by KLS Legal Advocate for the Applicant.

Ms. P. N. Dabholkar, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 10th OCTOBER, 2023

P.C.:

1. By this application, the applicant is seeking bail in Crime No. 232 of 2021 registered with Shantinagar Police Station, Thane for the offences punishable under Sections 307, 324, 323, 504 and 506 read with 34 of the Indian Penal Code, 1860.

2. It is prosecution's case that the applicant and co-accused had assaulted the first informant with knife. When first informant was trying to settle the quarrel between applicant, co-accused and his friend Arjun. It is alleged that the applicant had assaulted with knife on the left side of chest of the first informant.

3. It is the contention of learned Counsel for the applicant that the applicant has been falsely implicated in this case. Learned counsel

further submits that injury sustained by the first informant was not life threatening and he was discharged from the hospital immediately. Co-accused have been released on bail. There is no criminal antecedents against the applicant. Applicant is behind the bar more than two and half years. Hence requested to allow the application.

4. It is the contention of learned APP that the applicant had assaulted with knife on chest of first informant with intention to kill him. The knife used in the crime is recovered at the instance of the applicant. There is prima facie case against the applicant. Hence, requested to reject the application.

5. I have heard both learned Counsels, perused the FIR and charge-sheet.

6. The allegations against the applicant are that he assaulted the first informant with knife. It appears from record that there was one stab injury on the chest of first informant. Co-accused have been released on bail. Investigation is completed. Charge-sheet has been filed. No criminal antecedents against the applicant. Applicant is behind the bar more than two and half years. Yet trial has not been started. It may take time to conclude the same.

7. Considering the above facts, applicant's further detention is not required, hence I pass following order:

ORDER

(i) Applicant be enlarged on bail in Crime No. 232 of 2021 registered with Shantinagar Police Station, Thane, on executing PR bond in the sum of Rs. 30,000/- 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 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.

8. The application is allowed in the aforesaid terms and is accordingly disposed off.

9. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the

observations made in this order.

10. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]