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

ANTICIPATORY BAIL APPLICATION NO.2125 OF 2023

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Yusuf Rashid Shaikh & Anr. ... Applicants

V/s.

The State of Maharashtra & Anr. ... Respondents

Ms. Pooja S Phagnekar, for the Applicants.

Mrs. Veera Shinde, APP for the State-Respondent.

CORAM : AMIT BORKAR, J.

DATED : JULY 28, 2023

P.C.:

1. Apprehending arrest in connection with C.R.No.287 of 2023 registered with Vimantal police station, for offences punishable under Sections 354, 323, 504 r/w 34 of the Indian Penal Code, 1860 (for short 'IPC'), applicants are seeking relief of pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.').

2. According to prosecution, on 8 June 2023 at 6:00 pm while construction work of informant's house was going on altercation took place between applicants and informant on the issue of parking of four wheeler. According to the informant, during the said quarrel applicants outrage her modesty. Applicants assaulted informant and her husband with kicks and blows.

3. On perusal of the material on record, it appears that counter

reports have been filed by the parties arising out of same incident. Applicants have lodged a report against the informant's house of causing grievous hurt to applicants.

4. Considering the nature of incident and lodging of cross reports, applicants have made out a case for grant of relief under Section 438 of Cr.P.C. Hence, following order:

- a) In the event of arrest of applicants in connection with C.R. No.287 of 2023 registered with Vimantal police station, for offences punishable under Sections 354, 323, 504 r/w 34 of IPC, they be released on bail on furnishing P.R. bond of Rs.25,000/- each, along with one or two sureties in the like amount.
- b) Applicants shall remain present before the concerned police station on 1st, 3rd and 5th August, 2023 between 11:00 am to 2:00 pm and thereafter, as and when called by the investigating officer.
- c) Applicants shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
- d) Applicants shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.
- e) Applicants shall, at the time of execution of the bond, furnish their addresses and mobile numbers to the

investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.

5. The anticipatory bail application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)