

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

ANTICIPATORY BAIL APPLICATION NO. 2196 OF 2023

1. Mr. Arman Maqbul Shaikh
2. Mrs. Salma Banu Abdullah Shaikh
3. Mr. Arif Mohammed Naseer Shaikh
4. Mr. Mohammed Asif Mohammed Nasir Shaikh Applicants
v/s.
The State of Maharashtra Respondent

Mr. Omprakash Dubey for the Applicants.
Mr. S.V. Gavand, APP for the State.
Mr. Vaibhav Kadam, API, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 08th AUGUST, 2023.

P. C. :-

. The Applicants apprehend their arrest in C.R.No.479/2023 registered at Dharavi Police Station, Mumbai for offences punishable under sections 143, 147, 323, 324, 427, 504, 506(2) r/w. 149 of the Indian Penal Code, sections 25, 4 of Indian Arms Act and sections 135, 37(1)(a) of Maharashtra Police Act.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Gulshan Firoz Shaikh. The first informant claims that on 19/06/2023, the Applicants and the other co-accused formed an unlawful assembly armed with deadly weapons and that they assaulted Afreen. The medical report prima facie indicate that said Afreen had not sustained any injury. The principle offences under sections 324 and 427 of IPC are bailable.

4. Considering the nature of accusations, this is a fit case to exercise discretion under section 438 of Cr.P.C. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicants in C.R.No.479/2023 registered at Dharavi Police Station, Mumbai, they shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- each with one or two sureties in the like amount ;

(b) The Applicants shall report to the Investigating Officer on 18/08/2023 and 19/08/2023 between 11:00 a.m. to 02:00 p.m. ;

(c) The Applicants shall not interfere with the first informant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicants shall keep the Investigating Officer informed of their current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

**PREETI
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JAYANI**

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