



Diksha Rane

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

BAIL APPLICATION NO.2736/2023

NADEEM@NOOR NUSRUDDIN SHAIKH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Tripti Shetty for the applicant.

Mr. N. B. Patil, APP for the State.

PSI Narayan Dalvi, Vile Parle Police Station, Mumbai.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 27, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Section 307 of the Indian Penal Code (hereafter 'IPC' for short) read with 4, 25 of the Indian Arms Act registered on 18/11/2021 vide C.R. No.694/2021 with Vileparle Police Station.

3. It is the case of the complainant that the applicant was coming from opposite side of the road when there was some quarrel which took place between the applicant and the

complainant. The applicant suddenly took out a sharp object which is described as a knife but according to learned counsel for the applicant, it is a cutter by which the applicant inflicted the injuries on the first informant. All the injuries are simple in nature.

4. Learned APP opposed the application for bail.

5. The applicant at the relevant time was 21 years of age. The applicant was arrested on 18/11/2021 and is now in custody for one year and nine months. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In my opinion, the applicant does not appear to be a flight risk. The applicant will suffer the consequences if he is convicted. Any further incarceration will only be by way of a pre-trial punishment. Taking an overall view of the matter, in my opinion, the applicant can be released on bail by imposing stringent conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Nadeem @ Noor Nusruddin Shaikh in

connection with C.R. No.694/2021 with Vileparle Police Station, shall be released on bail on his/her furnishing P.R. Bond of Rs.25,000/- with one or more local/sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Vileparle police station once in two months i.e. on first Monday of every alternate month between 11.00 a.m. and 1.00 p.m. commencing October 2023.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Vileparle Police Station after being released on bail, till the trial concludes.

- (h) The applicant shall attend the trial regularly.
- (i) The applicant shall surrender his passport, if any, to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)