

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

Cri. Bail Application No.781 of 2023

Mohammed Jameer Mh. Hanif Sayyed ... Applicant.
Versus
The State of Maharashtra ... Respondent.

Mr Rohan Kaiche, appointed Advocate for the applicant.
Mr Kiran C. Shinde, APP for respondent/State.

Coram : R. N. Laddha, J.

Date : 29 April 2024.

P.C. :

Heard Mr Rohan Kaiche for the applicant and Mr Kiran Shinde, the learned APP for the State.

2. The applicant in the present case is seeking bail in connection with CR No.31 of 2023, registered at Rabale MIDC Police station, Navi Mumbai. The charges against the applicant include offence punishable under Sections 353, 333, 332 r/w 34 of IPC, as well as Sections 4 and 25 of the Arms Act, and Section 37(1) and 135 of the Maharashtra Police Act. The allegations against both the applicant and the co-accused are that on 16.01.2023, co-accused assaulted the injured with a sickle while the injured was on official duty.

3. In the present case, the applicant was arrested on 16.01.2023, and has been in jail since then. The weapon allegedly used in the crime was recovered at the instance of the co-accused, Akbar Ali, who has been already granted bail by the Sessions Court. The only material available against the applicant in the charge sheet is that he was with the co-accused at the time of incident. Additionally, nothing is on record to show that the applicant has criminal antecedents. The investigation has been completed, and the charge sheet was filed in March 2023.

4. In view of the above, this Court is of the opinion that the applicant can be granted bail with appropriate conditions. Accordingly, the application is allowed in the following terms.

ORDER

i)The applicant Mohammed Jameer Mh. Hanif Sayyed be released on bail, in connection with CR No.31 of 2023, registered at Rabale MIDC Police Station, Navi Mumbai, on furnishing PR Bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii) The applicant shall not tamper with the prosecution witnesses and/or give threat or inducement to any of the prosecution witnesses.

iii) The applicant shall furnish permanent address and contact details to the Inspector of Rabale MIDC Police Station and intimate the change, if any.

iv) The applicant shall regularly attend the proceedings before the jurisdictional Court.

v) All the parties to act on authenticated copy of this order.

[R. N. Laddha, J.]