

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

ANTICIPATORY BAIL APPLICATION NO. 1270 OF 2024

Abdul Rehman Faziur Rehaman Khan @ Sonu ..Applicant
Versus
The State of Maharashtra ..Respondent

Mr. Nandkumar V. Sawant for Applicant.
Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 8 MAY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.252 of 2024 registered at Bhandup Police Station, Mumbai, on 14.04.2024, under sections 395, 394, 397, 324, 427, 506(II) of the Indian Penal Code and under sections 37(1)(a) and 135 of the Maharashtra Police Act.
2. Heard Mr. Nandkumar Sawant, learned counsel for the applicant and Ms. Mahalakshmi Ganapathy, learned APP for the State.
3. The F.I.R. is lodged by one Altaf Khan. He has stated

that on 13.04.2024, at about 10:10p.m., when he was returning home with his brother on his two wheeler, the accused Hamid Khan stopped him and beat him. He was accompanied by one Muniya. It is alleged that the accused Muniya tried to give blow on the informant. The second part of the incident took place after some time. The other accused came there with an iron rod and a stick. It is alleged that Muniya's brother Sonu also came there. The prosecution case is that the said person Sonu is the present applicant. It is alleged that, all the accused then started assaulting the informant and his brother with iron rod and wooden stick. In the incident, the accused removed gold chain weighing two tola of the informant. The accused including the applicant threatened others who tried to help the informant. It is further alleged that the informant and his brother started going to the police station, but they were informed that all the accused had entered their house and caused damage inside the house. They also damaged two wheelers parked outside their house. On these allegations, the F.I.R. is lodged.

4. Learned APP, on instructions, submitted that the

informant and his brother have suffered only simple injuries. She submitted that, there are antecedents against the present applicant. She relied on the spot panchanama.

5. Learned counsel for the applicant submitted that, no specific role is attributed to the applicant. There are only vague and general statements against him.

6. Learned counsel for the informant submitted that the applicant is harassing the informant.

7. I have considered these submissions. The spot panchanama shows that two wheelers were damaged. Apart from that, the investigation papers do not have medical certificates. The case of the prosecution is that the informant and his brother had suffered simple injuries. There is no other specific role attributed to the present applicant about removing the chain or causing any particular assault or playing any particular part. In this view of the matter, the applicant's custodial interrogation is not necessary. However, considering his antecedents and considering the apprehension expressed by the informant, some conditions will

have to be imposed on the applicant.

8. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No.252 of 2024 registered at Bhandup Police Station, Mumbai, the applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) The Applicant shall attend the concerned Police Station on every Sunday between 10.00a.m. to 11.00a.m. for a period of nine months and shall cooperate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)