

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2192 OF 2024

Ali Mohammad B Shaikh and Anr. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Ms. Kusum Pandey, for the applicants.

Mr. Sameer Mangaonkar, APP, for the Respondent / State.

PSI, Sanket Pagade, Palghar Police Station, Present.

CORAM : ANIL S. KILOR, J.

DATE : 27th SEPTEMBER, 2024.

PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicants are seeking bail in Crime No.9 of 2024, registered with Palghar Police Station, Palghar for the offences punishable under Sections 307, 326, 143, 144, 147, 148, 149, 452, 341, 323, 504 and 506 of the Indian Penal Code.

3. In the present matter, the applicants are in jail from last 9 months and after considering the injury certificate, it is evident that the injury was caused to the left eye of the informant. The injury was grievous injury. However, considering the fact that there are no

antecedents against the applicants and on completion of the investigation, the charge-sheet has been filed, I am of the opinion that further custody of the applicants are not necessary.

4. As far as the apprehension expressed by the learned APP that, if the applicants are released on bail they may pressurize the prosecution witnesses or tamper with the prosecution evidence, the same can be addressed by imposing certain stringent conditions.

5. At this stage, the learned counsel for the applicants, on instructions, submits that the applicants are ready to abide by any conditions, including the condition not to enter into territorial jurisdiction of Palghar Police Station. In the circumstances, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicants shall be released on bail in Crime No.9 of 2024, registered with Palghar Police Station, Palghar for the offences punishable under Sections 307, 326, 143, 144, 147, 148, 149, 452, 341, 323, 504 and 506 of the Indian Penal Code, on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;
- iii) The applicants shall not enter into the territorial jurisdiction of Palghar Police Station, till the conclusion of the trial;

iv) The applicant shall provide their address and name of the nearby police station to the IO, which they shall attend the said Police Station on 1st and 16th day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date of trial;

v) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

vi) Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition or if the applicants commit similar offence;

vii) The applicants shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

6. The application is disposed of .

(ANIL S. KILOR, J)