



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 387 OF 2024

Shoaib Parvez Alam

...Applicant

vs.

The State of Maharashtra and Anr.

...Respondents

Ms. Kusum Pandey	Advocate for the Applicant (through VC)
Mr. A. S. Gawai	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 10th JULY 2024

P. C. :-

1. Heard learned Advocate for the Applicant through V.C. and learned APP.
2. The F.I.R. is registered in respect of the incident dated 09/04/2023 taken place at 11.30 p.m. The F.I.R. is lodged by injured Atish Ashok Kambale. The present Applicant is named in the F.I.R.. There is an allegation of the assault with the help of the chopper by this Applicant. Before the trial Court, the first informant has filed an affidavit informing that matter is settled. He has consented for grant of

bail. It is rejected by the Court of the Additional Sessions Judge, as per Order dated 16/10/2023. Recovery of the weapon is mentioned as ground for rejection.

3. It is true that this Court has granted anticipatory bail to co-accused Ankit Mishra considering his role.

4. I am not inclined to accept the settlement. However, I am inclined to grant anticipatory bail for the reason that charge-sheet is filed against the present Applicant also. There was no hurry for the Police to file charge-sheet.

5. Considering the situation, bail can be granted by imposing condition. Through his advocate, he assures to co-operate the Police. Hence, the Order:

ORDER

- (i) In case of arrest, the **Applicant-Shoaib Parvez Alam**, in connection with **C.R. No. I-204 of 2023** with the Achole Police Station, Palghar for the offence punishable under Sections 307, 143, 144, 147, 148, 149 read with 34 of the Indian Penal Code, the **Applicant be released on bail**, on furnishing Personal Bond and Surety Bond of Rs. **25,000/-**.

- (ii) The Applicant shall not threaten the prosecution witnesses.
 - (iii) The Applicant shall give attendance to the Achole Police Station, Palghar on 15/07/2024, 22/07/2024 and 29/07/2024 from 10.00 a.m. to 12.00 noon.
 - (iv) The Applicant to co-operate the Police during investigation.
6. Accordingly, anticipatory bail application is disposed of.
7. These are my *prima facie* observations and the trial Court may not be influenced by that.
8. All the parties to act on an authenticated copy of this Order.

[S. M. MODAK, J.]