

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

ANTICIPATORY BAIL APPLICATION NO.627 OF 2024

1. Imtiyaz Iliyas Chaudhary, &
2. Ahmed Iliyas Chaudhary.Applicants
Versus
The State of Maharashtra Respondent

Mr. Rakesh R. Singh, Advocate for the Applicants.
Mr. Nitin B. Patil, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 8th MARCH, 2024

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.70/2024 registered with Vanrai Police Station, Mumbai on 17.2.2024 under Sections 326, 504, 506 read with 34 of IPC.

2. Heard Mr. Rakesh Singh, learned counsel the Applicants and Mr. Nitin Patil, APP for the Respondent-State.

3. The FIR is lodged by one Siraj-ul-haq Chaudhary. He has described the incident. The Applicants are his

nephews. There are allegations in the FIR that because of the earlier dispute both of them assaulted the first informant with wooden logs on his shoulder, hand and face. On this basis, the FIR is lodged. The FIR mentions that his right hand was fractured.

4. Considering these allegations, it is necessary to see the medical certificate. The FIR was lodged on 17.2.2024, but, even thereafter for about more than twenty days till today, the investigating agency has not been able to get the medical certificate. Without looking at the medical certificate it is not possible to decide this application. At the same time, the Application cannot be adjourned without granting ad-interim relief to the Applicants because otherwise the Application would become infructuous. Therefore, to give one more chance to the investigating agency to produce the medical certificate before the Court, I am adjourning the matter with ad-interim relief to the Applicants.

5. Hence, the following order:

ORDER

- (i) In the event of their arrest in connection with C.R.No.70/2024 registered with Vanrai Police Station, Mumbai, till the next date, the Applicants be released on bail on their executing P.R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (ii) This order shall operate till 15.3.2024.
- (iii) The Applicants shall attend the concerned police station as and when called and they shall cooperate with the investigation.
- (iv) Stand over to 15.3.2024.

(SARANG V. KOTWAL, J.)

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