

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

ANTICIPATORY BAIL APPLICATION NO. 1465 OF 2024

Mohammad Ahmed Isa Baig

... Applicant

Vs.

The State of Maharashtra

... Respondent

Adv. Harideep Singh, for the Applicant.

Mr. Ashok S. Gawai, APP for the Respondent/State.

CORAM : KISHORE C. SANT, J.

DATE : 28th May, 2024

(VACATION COURT)

P.C.:-

1. Heard the learned Advocate for the Applicant and learned APP for the Respondent/State.

2. The offence is registered at the behest of Kurar Village Police Station Mumbai, against present applicant and some other persons in FIR No. 331 of 2024 for the offences under Section 353, 452, 169, 504, 506 read with Section 34 of the Indian Penal Code, 1860. The allegation is that this Applicant along with others entered into a police station. The specific allegations against this Applicant is that the Applicant hold of the collar of the uniform of the police officer that is of the Informant-Police Inspector

working at Kurar Village Police Station Mumbai. His son Ahmed Baig was also there who hold the belt of the uniform of the Informant. Two other co-accused namely Mr. Brij Tiwari and Mr. Prakash Vakani also abused the police officer.

3. The learned Advocate for the Applicant vehemently argued the Application. He submits that the Complainant is lodged with malafide as his father happens to be Chairman of one Janseva Chawl. The offence is lodged at the behest of one DGS Builder and Developer just to gain control over the locality. He submits that there are no criminal antecedent. The co-accused Mr. Brij Tiwari and Mr. Prakash Vakani have already been protected by the Sessions Court Dindoshi, Mumbai, and on the ground of parity also this Application needs to be allowed.

4. The learned APP pointed out that there is specific allegation against the present Applicant. The role assigned to Mr. Brij Tiwari and Mr. Prakash Vakani is not similar. The allegation against the Applicant are more serious. The Applicant has committed the offence in the Police Station itself, if he is granted protection, he would certainly misuse his liberty.

5. After hearing the parties and on going through the FIR it is seen that the Applicant has committed the offence as per the allegations in the police station itself. He has even tried to over power the police officer in uniform.

6. Considering the above, this court finds that no case is made out

to grant the Anticipatory Bail.

7. The Application is therefore rejected and the same is disposed of.

(KISHORE C. SANT, J.)