

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

ANTICIPATORY BAIL APPLICATION NO.1921 OF 2024

Aamir Mustakeem Khan Applicant

versus

State of Maharashtra Respondent

.....

- Mr. N. V. Sawant, Advocate for Applicant.
- Mr. Shrikant H. Yadav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 18th JULY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.252/2024, dated 14/04/2024, registered with Bhandup Police Station, Mumbai, under sections 395, 394, 397, 324, 506(2), 427 of the Indian Penal Code and under sections 37(1)(a) and 135 of the Maharashtra Police Act.

2. Heard Mr. N. V. Sawant, learned counsel for the Applicant and Mr. Shrikant H. Yadav, learned APP for the State.

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3. The F.I.R. is lodged by one Altaf Khan. He has stated that on 13/04/2024, at about 10.10 p.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 came there with the 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 counsel for the Applicant submitted that the

co-accused Abdul Rehman Faziur Rehaman Khan @ Sonu was granted anticipatory bail vide order dated 08/05/2024 passed in Anticipatory Bail Application No.1270 of 2024. The Applicant's role is exactly similar. Therefore, on the ground of parity, the Applicant also deserves the same protection.

5. Learned APP on instructions states that the charge-sheet is already filed and the investigation is over.
6. I have considered these submissions. I have perused the order dated 08/05/2024 granting anticipatory bail to the co-accused Abdul Rehman @ Sonu. The Applicant's role from the FIR is exactly similar to that of Abdul Rehman @ Sonu. No specific role is attributed to either Sonu or the present Applicant. There are only vague and general allegations against him. The said order mentions that the informant and his brother had suffered only simple injuries as per the submissions made by the learned APP on instructions.
7. In this view of the matter, the Applicant's custodial

interrogation is not necessary. On the ground of parity also he deserves the same protection.

8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.252/2024, dated 14/04/2024, registered with Bhandup Police Station, Mumbai, the Applicant is directed to be released on bail on his furnishing PR 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 every Sunday between 10.00 a.m. to 11.00 a.m. for a period of six months and shall cooperate with the further investigation, if any.
- (iii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)