IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2877 OF 2024

Abdul Mehbub Shaikh … Applicant

vs.

The State of Maharashtra and another … Respondents

Ms. Priyal Sarda a/w. Ms. Seema Dighe and Mr. Rajesh Ranglani for applicant.

Mr. Tanveer G. Khan, APP for respondent No.1-State.

CORAM : MANISH PITALE, J.
DATE : 24th OCTOBER, 2024

P.C. :

. Heard learned counsel for the applicant and the learned APP for respondent No.1-State.

2. The applicant is apprehending arrest in connection with FIR No.0263 of 2024 dated 31.07.2024, registered at Shirval Police Station, District Satara, for offences under Sections 109, 189(2), 191(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, 2023. One of the offences registered in the present case is attempt to murder.

3. As per the statement of the informant, he and other persons were injured on the date and time of the incident, when the accused persons assaulted them. As regards the applicant, it is alleged that he used an iron rod to assault the informant as well as the other victim.

PRIYA KAMBLI Digitally signed by PRIYA KAMBLI Date: 2024.10.25 11:57:29 +0530

4. The learned counsel for the applicant submitted that there is a general reference to his role and that he has been falsely implicated, which is evident from an affidavit filed by the informant himself, denying the contents of the FIR. It is also submitted that two accused persons have been granted regular bail.

5. The learned APP submitted that today, the investigating officer could not remain present and investigation papers alongwith the injury certificate can be produced before the Court.

6. In view of the fact that there is a general allegation against the applicant, of having used an iron rod to assault the informant and other victim, and also in the light of the affidavit filed by the informant before the Sessions Court, it would be necessary for this Court to peruse the investigation papers, particularly the injury certificate. Till such time, since the applicant is ready to co-operate with the investigation, this Court is inclined to grant interim relief.

7. In view of the above, there shall be interim relief in the following terms:

(a) Till the next date, in the event the applicant is arrested in connection with FIR No.0263 of 2024 dated 31.07.2024, registered at Shirval Police Station, District Satara, he shall be released on bail on furnishing PR Bond of ₹ 25,000/- and one or two sureties in the like amount to the satisfaction of the trial court.

(b) The applicant shall appear before the investigating officer on 26.10.2024 and 28.10.2024 between 10:00 a.m. and 12:00 noon and thereafter as and when called by the investigating officer;

(c) The applicant shall not influence the informant, witness or any person concerned with the case and shall not tamper with the evidence. He shall co-operate with the investigation.

8. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

9. List for further consideration on 03.12.2024, High on Board.

10. On the next date, the investigating officer shall remain present in the Court alongwith the investigation papers.

(MANISH PITALE, J)

Priya Kambli