

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

ANTICIPATORY BAIL APPLICATION NO. 167 OF 2025

1. Mohammed Hussain Ali Khan
 2. Faijal Ali Mohammed Memon
 3. Fahad Khalil Khan Sarguroh
- ...Applicants

Versus

The State of Maharashtra

...Respondent

....

Mr. Kuldeep Patil a/w Mr. Shailesh Chavan and Mr. Aditya Sharma,
Advocate for the Applicants.

Mr. S. V. Walve, A.P.P. for the Respondent – State.

Mr. Zoheb Shaikh, Advocate for the Intervenor.

Mr. Vikas Nikam (I.O.), Chiplun Police Station, present.

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CORAM : N. R. BORKAR, J.
DATE : 30th JANUARY, 2025.

P.C.:

1. This is an application for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.302 of 2024 registered at Chiplun Police Station, District: Ratnagiri for the offences punishable under Sections 352, 351(3), 351(2), 324(4), 190, 189(4), 189(2), 126(2), 117(2), 115(2) and 109(1) of Bhartiya Nayaya Sanhita, 2023.

3. I have heard the learned counsel for the applicants and learned A.P.P for the Respondent-State.

4. According to the prosecution, on 06.12.2024 at about 10:00 p.m., the present applicants and other co-accused assaulted the complainant on account of previous dispute and attempted to commit his murder. It is further alleged that the present applicants and the other co-accused assaulted to the witnesses also.

5. I have perused the statement of witnesses. No specific overt act is attributed to the applicant Nos.2 and 3. As regard the applicant No.1, it is alleged that at the time of incident, he was armed with stick. However, he appears to be a student with good academic record. There are no criminal antecedents against the applicant Nos.1 to 3. The motive for the alleged crime is not attributed to the present applicants.

6. The learned counsel for the complainant/intervenor submits that the complainant has suffered a grievous injury and the applicants should bear the medical expenses.

7. Considering the overall facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail subject to certain conditions:

ORDER

- (i) Anticipatory Bail Application is allowed;
- (ii) In the event of arrest of the applicants in connection with Crime No.302 of 2024 registered at Chiplun Police Station, District: Ratnagiri for the offences punishable under Sections 352, 351(3), 351(2), 324(4), 190, 189(4), 189(2), 126(2), 117(2), 115(2) and 109(1) of Bhartiya Nayaya Sanhita, 2023, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;
- (iii) The applicants shall attend the concerned Police Station as and when called and shall co-operate in the Investigation.
- (iv) The applicants shall pay Rs.50,000/- to the complainant towards medical expenses within a period of four weeks.
- (v) The applicants shall not enter into the limits of Khed Taluka till the conclusion of trial;
- (vi) Anticipatory Bail Application stands disposed of accordingly.

(N. R. BORKAR, J.)