

Amberkar

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

**ANTICIPATORY BAIL APPLICATION NO. 3511 OF 2024**

Kamran Noor Mohammed Shaikh

Applicant

.. (Accused No. 2)

**Versus**

State of Maharashtra

.. Respondent

.....

- Mr. Jigar Agarwal for Applicant
- Mr. Hitendra J. Dedhia, APP for State

.....

**CORAM : MILIND N. JADHAV, J.**

**DATE : JANUARY 15, 2025**

**P. C.:**

**1.** Heard Mr. Agarwal, learned Advocate for Applicant and Mr. Dedhia, learned APP for State.

**2.** Applicant - accused No. 2 has filed the present Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "**BNSS**") in connection with Crime No. 987 /2024 registered with Nagpada Police Station, Mumbai under Sections 3(5), 352 and 118(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, "**BNS**").

**3.** FIR which is appended to the present Application when seen clearly shows that the Applicant had lifted the Bamboo stick which was lying on the road side and handed it over to accused No. 1 who inflicted blow of the Bamboo stick on complainant's head leading to

injury. Injury certificate which is produced by learned APP clearly shows that it is a simple injury which was received by the complainant due to blow of Bamboo stick.

4. Considering the fact that accused No. 1 has been enlarged on bail by the Trial Court and the role of the Applicant, custodial interrogation of the Applicant is not required and therefore, Application is allowed on the following terms and conditions:-

### **ORDER**

- (i) In the event of the arrest, the Applicant be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;
- (ii) Applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case;
- (iii) Applicant shall attend the Police Station on the first Monday of every month between 10.00 a. m. and 12.00 noon until the Charge-sheet is filed and as and when called for by the investigating officer thereafter;
- (iv) Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from

time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicant's bail.

5. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

6. Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

[ MILIND N. JADHAV, J. ]

Amberkar

Digitally signed  
by RAVINDRA  
MOHAN  
AMBERKAR  
Date:  
2025.01.15  
17:40:15  
+0530