

MHCC050063932022



**ANTICIPATORY BAIL APPLICATION NO. 1916 OF 2022**

**Mr. Aftab Alam Chaudhary**  
Age: 37 years, Occ.: Service,  
R/a D1, 301, Rani Palace CHS.,  
Near Nasim Khan Bunglow,  
K. A. Road, Shamsuddin Nagar,  
Kurla, Mumbai.

**..Applicant**

V/s

**The State of Maharashtra**  
(At the instance of Sakinaka Police Station,  
Mumbai in CR No. 2015/2022)

**...Respondent**

Shri Ramesh Mishra, Advocate for applicant.  
Shri Ambekar, Addl. PP for the State/respondents.

Coram: His Honour Additional Sessions Judge,  
Shridhar M. Bhosale  
(C.R.No.1)

Date : 09<sup>th</sup> December, 2022.

**ORDER**

1. This is an application under Section 438 of Code of Criminal Procedure (hereinafter referred as "Cr.P.C.") for anticipatory bail on apprehension of arrest in connection with C.R. No. 2015 of 2022 registered at Police Station, Sakinaka for the offences under Sections 324, 326, 504, 506(2), r/w 34 of Indian Penal Code (hereinafter referred as 'IPC').

2. In short, on 09/09/2022 at about 6.00 p.m. informant and his friend Vinod Tiwari drinking tea at Building no. 1, Rani Palace, Shamsuddin Nagar, Jarimari Sakinaka, Mumbai applicant and other accused and Aaftab Mashoor Alam went to informant son-in-laws Mosin Shaikh house and started quarreling and abusing and giving threat. At that time accused Maksood Alam Mashoor Alam Khan (Chaudhary) started quarrel on ground that his son sustained injury due to fall of iron rod from the upper floor. Thereafter, on that ground Aaftab gave blow by iron rod on informants hand and accused Abu Sufian Mashoor Alam Khan has gave blow on his back. Whereas, accused Afzal Mashoor Alam Khan also assaulted him on his back and below eye. Whereas, Maksood Alam gave threat to kill them. On these grounds FIR came to be lodged.

3. Perused the application and say Exh. 2. Heard Learned advocate Shri Ramesh Mishra for the applicant-accused and Learned Additional PP Shri. Ambekar for the State. Perused the investigation papers.

4. On consideration of the statement that the incident occurred on 09/09/2022 but report came to be lodged on 15/09/2022. Already the medical certificates were obtained. Even since September 2022 the police has not taken steps to take into custody of the accused and the case diary also reveals that the investigation is not carried in regular manner. Therefore, considering all these facts and the role attributed to the applicant it is proper to grant the application. Hence, I pass the following order :

**ORDER**

1. Anticipatory Bail Application No. 1916 of 2022 is hereby allowed.
2. In the event of arrest, applicant-accused Mr. Aftab Alam Chaudhary in connection with C.R.No. 2015 of 2022 registered at Police Station, Sakinaka for the offences under Sections 324, 326, 504, 506(2), r/w 34 of Indian Penal Code, he be released on executing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) and the like amount with one surety.
3. Applicant-accused Mr. Aftab Alam Chaudhary, shall not tamper the evidence
4. Anticipatory Bail Application No. 1916 of 2022 stands disposed off accordingly.

09.12.2022

(Sridhar M. Bhosale)  
Addl. Sessions Judge  
Sessions Court,  
Dindoshi, Mumbai.

Date of dictation : 09.12.2022  
Date of transcription by steno : 10.12.2022  
Signed on : 12.12.2022

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

14.12.2022 at 12.09 p.m. UPLOAD DATE AND TIME	Mrs. J. S. Gole (H.G.STENOGRAPHER) NAME OF STENOGRAPHER
Name of the Judge (With Court Room No.)	H.H.1st A.P.J. Shridhar M. Bhosale Court Room No.1
Date of pronouncement of Judgment/Order	09.12.2022
Judgment/Order signed by P.O. on	12.12.2022
Judgment/Order uploaded on	14.12.2022