



IN THE COURT OF SESSIONS, AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI

ANTICIPATORY BAIL APPLICATION NO.2024 OF 2022
(CNR NO.MHCC05-006769-2022)

IN

C.R. NO.1062/2022
(POLICE STATION, GOREGAON)

Mr. Akram Aslam Khan)
Age: 30years, Occ: Driver,)
R-8, RNA Plaza, MMRDA Colony,)
Ram Mandir Road,Goregaon West,)
Mumbai, Maharashtra,)
Mumbai – 400 104.) ..Applicant

Vs.

The State of Maharashtra,)
(At the instance of Sr. Inspector of Police,)
Goregaon Police Station)) ..Respondent

Adv. Mr. Sheetal Gupta for the applicant.
APP Mr. Shailesh Pachapohar for the State.

Coram : His Honour Addl. Sessions Judge,
Ashish Ayachit
(C.R.No.8)

Date : 23rd December, 2022.

ORDER

This is an application u/s. 438 of Cr.P.C. for anticipatory bail in relation with Crime No.1062/2022 registered with Goregaon Police Station for the offences punishable under Sections 326, 324, 323, 427, 504, 506 r/w Section 34 of I.P.C.

2. Perused the application and say of Investigation Officer.

3. Heard Adv. Ms. Sheetal Gutpa for the applicant and APP Mr. Shailesh Pachapohar for the prosecution.

4. Adv. Ms. Sheetal Gupta for the applicant submitted that the applicant has no role in the crime. The informant used to tease sister of the applicant and therefore, earlier report has been lodged against him. She has taken me through FIR and requested to grant anticipatory bail.

5. Investigation officer opposed the anticipatory bail application on the ground that the applicant is likely to tamper prosecution evidence and he will pressurise the informant. Investigation is in progress. APP Mr. Shailesh Pachapohar opposed the anticipatory bail application and submitted that police incorporated section 326 on 10.12.2022.

6. Perused the record. It seems that earlier offence u/s. 324, 323, 427, 504, 506 and 34 of I.P.C. was registered but later on the Investigation Officer received medical certificate of nose fracture of the informant and hence, section 326 of I.P.C. has been incorporated. There is no need of custodial interrogation of the present applicant. Accused No.1-Atik Khan is arrested and the weapon used in the crime is seized from him. He is in judicial custody. Considering the role of applicant/accused set out in the report, his custodial interrogation is not necessary. The offences are trial by the Judicial Magistrate First Class. This court has granted anticipatory bail to the accused- Hence, I pass the following order:-

ORDER

1. Anticipatory Bail Application No.2024/2022 is allowed.
2. The applicant-Akram Aslam Khan be released on anticipatory bail on executing personal bond in the sum of Rs. 20,000/- (Twenty

Thousand Rupees Only) with one or two sureties in the like amount, in the event of his arrest in Crime No.1062/2022 registered with Goregaon Police Station for the offence punishable under Sections 326, 324, 323, 427, 504 and 506 r/w. Section 34 of the Indian Penal Code, on the following conditions :

- (i) He shall attend police station, whenever called by the Investigation Officer, by issuing written notice.
 - (ii) He shall not tamper with the prosecution case or give any threats to the informant.
3. Inform the concerned Police Station, accordingly.
 4. Anticipatory Bail Application No. 2024/2022 stands disposed of, accordingly.

Date: 23.12.2022

(Ashish Ayachit)
Additional Sessions Judge,
City Civil & Sessions Court,
Borivali Division, Dindoshi
Goregaon, Mumbai

Dictated by HHJ on : 23.12.2022
Transcribed on : 23.12.2022
Signed by HHJ on : 23.12.2022

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

UPLOAD DATE AND TIME : 23.12.2022 4.40 P.M. ATUL SURYAKANT BHOGTE
NAME OF STENOGRAPHER

Name of the Judge (with Court Room No.)	HHJ Shri Ashish Ayachit (Court Room No.8)
Date of Pronouncement of Judgment/Order	23.12.2022
Judgment/Order signed by P.O. on	23.12.2022
Judgment/Order uploaded on	23.12.2022

