

MHCC050062772022



ANTICIPATORY BAIL APPLICATION NO. 1885 OF 2022

Akshay Jayprakash Pathak

Age: 26 years, Occ.: Service,
Hindu, Indian Inhabitant of Mumbai,
R/at:- 169, Squaters Colony No-7,
Malwani Colony Near Anjuman Masjid,
Kharodi Malad (West),
Mumbai-400095.

...Applicant

V/s

The State of Maharashtra

(At the instance of Andheri Police Station,
Mumbai in CR No. 1074/2022)

...Respondent

Shri B. J. Shaikh, 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 : 28th November, 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. 1074 of 2022 registered at Police Station, Andheri for the offences under Sections 324, 504, 506(2) r/w 34 of Indian Penal Code (hereinafter referred as 'IPC').

2. Perused the application and say Exh. 2. Perused the copy of the FIR. Heard Learned advocate Shri B. J. Shaikh for the applicant-accused and Learned Additional PP Shri. Ambekar for the State.

3. In short, it was alleged that on 08/11/2022 at about 12 midnight one Surendra Pal has come with three unknown persons and stated that they want to settle the dispute about the quarrel on account of phone. Thereafter, one person has took a cooker and hit on his head whereas, informant try to stop the quarrel and then one person has assaulted by stick, another by hand. Then Asha Warde and Surendra Pal both rescued them and pushed them out, at that time those three persons gave threat to them that if he informed to the police then they will cut him. The applicant was one of the person amongst them. On the basis of the report offence came to be registered under Sections 324, 504, 506(2) r/w 34.

4. Except offence under Section 506(2) all offences are bailable. Already on the spot the weapon cooker and wooden ply were seized. Earlier Two co-accused were order to release on anticipatory bail. Therefore, considering the allegations it is not necessary for custodial interrogation. Hence, I pass the following order :

ORDER

1. Anticipatory Bail Application No. 1885 of 2022 is hereby allowed.
2. In the event of arrest, applicant-accused Akshay Jayprakash Pathak in connection with C.R.No. 1074 of 2022 registered at

Police Station, Andheri for the offences under Sections 324, 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 Akshay Jayprakash Pathak, shall report to the police station, Andheri on 29.11.2022 and 30.11.2022 in between 12.00 noon to 02.00 p.m. and shall co-operate to the investigating officer as and when required for the purpose of investigation.
4. Applicant-accused Akshay Jayprakash Pathak, shall not tamper the evidence
5. Anticipatory Bail Application No. 1885 of 2022 stands disposed off accordingly.

28.11.2022

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

Date of dictation : 28.11.2022
Date of transcription by steno : 28.11.2022
Signed on : 28.11.2022

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

30.11.2022 at 1.06 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	28.11.2022
Judgment/Order signed by P.O. on	28.11.2022
Judgment/Order uploaded on	30.11.2022