



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

ANTICIPATORY BAIL APPLICATION NO.1827 OF 2022
(CNR NO.MHCC05-006099-2022)

IN

C.R. NO.1006/2022
(POLICE STATION, GOREGAON)

Javed Aziz Shaikh)
Age: 36 years, Occupation : Business,)
Muslim, Adult, Indian inhabitant,)
Residence :- Prem Nagar, Masjid Galli,)
Unnat Nagar Road No.2, Near Sunni Gousulwara)
Madrssa, Teen Dongri, Goregaon (West),)
Mumbai 400 104.) **..Applicant**

Vs.

The State of Maharashtra)
A the instance of Sr. Inspector of Police,)
Goregaon Police Station) **..Respondent**

Adv. Ms. Prajakta Shinde h/f. Adv. Mr. Sunny Waskar for the applicant.
APP Mr. Shailesh Pachapohar for the State.

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

Date : 18th November, 2022.

ORDER

This is an application under Section 438 of Cr.P.C. for releasing the applicant on anticipatory bail in relation with Crime No.1006/2022 registered with Goregaon Police Station for the offence punishable under Section 354 of I.P.C.

2. Perused the application and say of Investigation.
3. Heard Adv. Ms. Prajakta Shinde h/f. Adv. Mr. Sunny Waskar for the applicant and APP Mr. Shailesh Pachapohar for the prosecution.
4. It revealed from the record that there was scuffle and beating going on in between the father of informant and the applicant/accused. She went to intervene and thereafter, the applicant accused touched her waist, abused her and pushed her and therefore, she lodged the report. On the basis of her report, offence under Section 354 of I.P.C. has been registered. Considering the nature of offence, allegations and accusation made in the FIR and keeping in mind, the mandate of Hon'ble Apex Court for releasing the accused on anticipatory bail, I am of the view that the custodial interrogation of the applicant is not necessary. Further the ground for opposing bail that the applicant is likely to tamper with the prosecution evidence and influence the witnesses would be safeguarded by putting stringent condition. In view of above, I am of the considered opinion that the applicant has made out prima facie case to enlarge him on anticipatory bail. I, therefore, pass the following order:-

ORDER

1. The applicant-Javed Aziz Shaikh be released on anticipatory bail on executing personal bond in the sum of Rs. 15,000/- (Fifteen Thousand Rupees Only) with one or two sureties in the like amount, in the event of his arrest in Crime No.1006/2022 registered with Goregaon Police Station, for the offence punishable under Section 354 of I.P.C., on the following conditions :
 - (i) He shall attend police station for investigation, whenever called by the Investigation Officer by prior written notice.

- (ii) He shall not tamper with the prosecution evidence and shall not influence the witnesses.
2. Inform the concerned Police Station, accordingly.
3. Anticipatory Bail Application No.1827/2022 stands disposed off, accordingly.

Date: 19.11.2022

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

Dictated by HHJ on : 19.11.2022
Transcribed on : 19.11.2022
Signed by HHJ on : 19.11.2022

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

UPLOAD DATE AND TIME : 19.11.2022 5.20 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	19.11.2022
Judgment/Order signed by P.O. on	19.11.2022
Judgment/Order uploaded on	19.11.2022