

ORDER BELOW EXH.1 IN CRI.BAIL APPLN. No. 517/2022.**Ashfaqe @ Guddu s/o Masood Shaikh****Vs.****The State of Maharashtra.****CNR No.MHBI0400113632022**

1] The applicant / accused namely **Ashfaqe @ Guddu s/o Masood Shaikh age 34 years**, seeking anticipatory bail U/Sec. 438 of Cr.P.C. Crime No.449/2022 registered with Ambajogai City Police Station for the offences punishable U/Sec.326,323,504,506 r.w. S. 34 of Indian Penal Code.

2] Perused the bail application, say of I.O./ APP, investigation papers. Heard Ld. V.S.Solanke advocate appearing behalf of the applicant and Shri.L.B.Phad Ld.APP for the State at length.

3] It appears that, informant Bashir s/o Shabbir Shaikhy, lodged complaint before Ambajogai City Police Station on 15-10-2022 alleging therein that on 11-10-2022 when he was present in front of Suhana Hotel Ambajogai, at that time, Shaikh Feroj @ Pappu and Shaikh Ashfque @ Guddu and other two persons had came towards him and they assaulted to him by means of kick and hand blows and one Firoj @ Pappu assaulted to him by means of knife on right side of his head. So considering the contents of the F.I.R. it appears that the main allegation is against main accused Firoj @ Pappu as he used weapon of knife in commission of the said crime. Further, it appears that, role of the present accused as per F.I.R. he was accompanied with the main accused and other two unknown accused persons and he assaulted to informant by means of kick and

hand blows. Further, it appears that, injured informant discharged from the Hospital on 13-10-2022 and he lodged complaint on 15-10-2022. So there is delay in lodging the complaint.

4] Further, it appears that, there is dispute in between informant and the applicant relating to purchasing of one plot. So, it clearly appears that, nothing is to be recovered from the present applicant and therefore, considering his role in the said crime and nature of the offence and involvement of the present applicant he is entitled to be released on pre-arrest bail on certain conditions.

Hence, I proceed to pass following order.

:: ORDER ::

- 1] Application is hereby allowed.
- 2] The applicant Ashfaque @ Guddu s/o Masood Shaikh, Age 34 years be released on pre-arrest bail in the event of his arrest in Crime No.449/2022 registered with Ambajogai City Police Station for the offences punishable U/Sec.326,323,504,506 r.w. S.34 of Indian Penal Code on furnishing P.B. of Rs. 25,000/-(Rs. Twenty Five Thousand only) with one or two solvent surety of like amount.
- 3] The applicant is hereby directed to appear on each Tuesday in between 10-00 a.m. to 1-00 p.m. before Investigating Officer and co-operate to him for further investigation if any, till filing of the charge-sheet.

- 4] Applicant/accused shall not tamper with the prosecution evidence in any manner.
- 5] Inform to the concern police station accordingly.

Date : 31.10.2022.

(V. K. Mande)
Addl.Sessions Judge,
Ambajogai.

Certificate:-

I affirm that, the contents of this P.D.F file are word to word as per original Judgment / order.

Dictated on : 31-10-2022

Transcribed on: 31-10-2022

Checked and signed on : 31-10-2022

Date:31-10-2022

Sd/-

(V.L.Bhalekar)

Stenographer Gr-1.

Addl.Sessions Court At Ambajogai

Certificate:-

I affirm that, the contents of this P.D.F file are word to word as per original Judgment / order.

Dictated on : 03-10-2022

Transcribed on: 03-10-2022

Checked and signed on : 03-10-2022

Sd/-

(V.L.Bhalekar)

Stenographer Gr-1.