

Order below Exh.01 in Cri.Bail Application no.714/2025

01] This is regular bail application filed by the applicant Dilshan Mubarak Husain in connection with CR no.914/2024 registered with Koparkhairne police station for the offence p/u/s 307, 506 read with Sec.34 of Indian Penal Code.

02] Crime is registered on the basis of report filed by first informant Ajit whereby, it is contended that, on 10.12.2024, he along with his friend Rohit, Rahul and Saurabh were present at about 10.15 pm and when they were return back near Bank of Allahabad, Sector1, Koperkhairne their friend Rohit Ghorpade visited Pantapari at that time they heard noise and when he turned back, he found that one brother of Macchi aged 21 years, was holding a chopper in his hand and was about to assault first informant. first informant put his hand, hence, he sustained injury by chopper on his left hand, forearm and there was bleeding. That person again attempted to assault but first informant escape and ran away. Macchi's brother followed them and threatened him. Thus, he visited hospital for treatment and filed report.

03] It is contention of the applicant that, the he is innocent. He is behind bar. Charge-sheet has been submitted. Nothing remained to be recovered from the applicant. There is no intention in order to track Section 307. There is simple injury. He will abide terms and condition. He is arrested on 07.04.2025. Hence, he prayed for bail.

04] Prosecution strongly objected the application on the contentions that, if the applicant is granted bail, he will flee away. He has left his house and found on 07.04.2025. He will tamper evidence will commit similar type of offence, it is prayed for rejection of application.

05] Heard both the sides, at length. It is argued that, victim is out of danger. No doubt there is some deference that it is alleged that, chopper was used but muddmal receipt shows knife. But it is a different part that, it is seen that the victim has sustained simple injury on his hand as per the medical report.

06] Substantial investigation is completed. Charge-sheet has been submitted. Nothing remained to be recovered or discovered from the applicant. Further time is required, there is no possibility that case would be decided immediately. No purpose will be served keeping applicant behind bar. Whether there was an intention or not, it is the question of evidence. And thus for these reasons the applicant requires to be released on bail. Hence, order :

ORDER

- 1 The applicant/accused Dilshan Mubarak Husain be released on bail on executing PR. and S.B. of Rs.50,000/- with one or more sureties of like amount, in connection with CR no.914/2024 registered with Koparkhairne police station for the offence p/u/s 307, 506 read with Sec.34 of Indian Penal Code
- 2 Applicant shall attend Court dates regularly.
- 3 Applicant shall not to tamper evidence in any manner.
- 4 Applicant not to flee away and not to leave Maharashtra

without permission of Ld. Trial Court.

- 5 Applicant shall not engage himself in similar type of offence.
- 6 Applicant/accused to produce photographs, address proof, mobile number of himself, his surety and of his two blood relatives.
- 7 Bail before Ld. J.M.F.C.

Sd/-xxx

Belapur.

Date :- 05.08.2025

(P. A. Sane)

Additional Sessions Judge,
Belapur, Navi Mumbai.