

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.253/2015

(Babukhan s/o Ibrahim Khan @Babukhan Panniwale ..vs.. The State of Maharashtra,
through PSO P. S. Yashodhara Nagar, Nagpur

AND

CRIMINAL APPLICATION (BA) NO.259/2015

(Sheikh Jafar s/o Sheikh Zaheeruddin ..vs.. The State of Maharashtra, through PSO P. S.
Yashodhara Nagar, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. P.P. Kotwal, Advocate for applicant in B.A.
No.253/2015

Mr. R. M. Daga, Advocate for applicant in
B.A.No.259/2015
Mr.Bhoyar, A.P.P. for non applicant-State.

CORAM : A.B. CHAUDHARI, J.

DATE : JUNE 24, 2015.

These two matters were directed to be placed on board in view of the mistake in recording of the order by the Stenographer.

In Criminal Application No.253/2015 (Babukhan..vs..State of Maharashtra), in view of order dated 31.03.2015 in Criminal Application No.130/2015 (Mohammad Sagir Muzammin Hussain..vs..State of Maharashtra and another) and for the similar reasons, this Court had passed an order granting bail to the applicant-Babukhan. However, an order rejecting the bail application was typed.

At the same time, this Court has rejected Criminal Application No.259/2015 (Sheikh Jafar.vs.State of Maharashtra). However, an order issuing notice to the non applicant was typed.

In that view of the matter, I pass the following order.

Criminal Application No. 253/2015

- (i) Criminal Application (BA) No.253/2015 is allowed.
- (ii) Applicant-Babukhan s/o Ibrahim Khan @ Babukhan Pnniwale be released on bail on furnishing PR Bond in the sum of Rs.25,000/- with one surety in the like amount
- (iii) The applicant shall reside at Wardha and submit the address of his residence at Wardha along with his contact number as well as contact number of one of his relatives at Wardha to the Investigating Officer.
- (iv) The applicant shall cooperate with the Investigating Officer and attend Police Station, Wardha on second and fourth Sunday of every month between 09.00 a.m. and 12.00 noon till commencement of the trial and as and when called by the Investigating Officer and to enter the Nagpur city only when the trial commences.

3

(v) The applicant shall maintain a diary of his attendance, duly countersigned by the Police Station Officer of the concerned Police Station.

(vi) The applicant shall not tamper with the evidence nor commit any act such as contacting the prosecution witnesses or pressurizing them.

(vii) In case the applicant is moving out of the area of Police Station, Wardha, he shall inform the Police Station officer about his visit to other place.

In case of breach of these conditions, the prosecution shall take necessary steps in accordance with law.

Criminal Application No. 259/2015

Criminal Application No.259/2015 is rejected.

JUDGE