

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

CRIMINAL APPLICATION (BA) NO.264/2015

(Mohd. Ashif Meman s/o Abu Bukar ..vs.. State of Maharashtra, a through P.S.O.
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. K. B. Zinzarde, Advocate for applicant.
Mr. Bhoyar, A.P.P. for non applicant.

CORAM : A.B. CHAUDHARI, J.
DATE : JULY 1, 2015.

Heard learned counsel for rival parties.
Perused the FIR. Learned APP submits that the applicant is the main accused who has entered into the transaction and instigated the other accused persons who assaulted the deceased.

I have perused the FIR, statement of Naim Khan as well as other statements. I find from the statements of these witnesses, including Naim Khan, that the only role assigned to the appellant that he had instigated other accused persons who assaulted.

That being so, I think the applicant may be released on bail pending trial. Hence, I pass the following order.

ORDER

- (i) Criminal Application (BA) No.264/2015 is allowed.
- (ii) Applicant-Mohd. Ashif Meman s/o Abu Bakar shall be released on bail on his executing PR Bond in the sum of Rs.20,000/- with one surety in the like amount.
- (iii) The applicant shall attend Police Station, Yashodhara Nagar, Nagpur on every Sunday from 11.00 a.m. to 2.00 p.m. and as and when directed by the Investigating Officer. The applicant shall cooperate with the Investigating Officer.
- (iv) The applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.
- (v) The witnesses in the case shall be given witness protection by police till the trial is over.
- (vi) If there is any complaint from the witness about tampering of evidence or pressure from the accused person, the same shall be taken into consideration for cancellation of the bail.

JUDGE