

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (BA) No.302 of 2015
(Mohammad Shadab Sheikh and another V/s State of Maharashtra, thr PSO
PS Ghuggus, Chandrapur)

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

Court's or Judge's orders

[Shri Mahesh Rai, Adv for applicant.
 Shri M.J. Khan, APP for respondent]

CORAM : A.B. CHAUDHARI, J.
DATED : 17.06.2015.

Heard the learned Counsel for the rival parties.

This is an application for grant of bail filed by the applicants. I have perused the record. The applicants have been in jail since 27-06-2014 for the offence in question.

Prima facie I find on the merits of the matter that the applicants may be entitled to grant bail in this crime. However, I find from the antecedents of both the applicants that there is a chain of criminal cases against them pertaining to injury to human body with regular intervals. Not only that there was also a proposal of applying MCOCA on both the applicants but it was not applied. The applicants in this background do not deserve to be granted bail. I found the offence under Section 307 of the Indian Penal Code may not be made out but they are entitled

for bail. I think the discretion of grant of enlargement of bail in favour of the applicants cannot be exercised. Hence, I make the following order.

Order

- A] Criminal Application (BA) No.302 of 2014 is rejected.
- B] The trial Judge is directed to expedite the trial.
- C] The witness shall be given protection by the trial Court.

JUDGE

Deshmukh