

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 915 of 2015
[Mohd. Gulaam Ali Md. Khalil Siddiki Vs. State of Mah.]

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

Court's or Judge's orders

Mr. R.M. Daga, Adv., for the applicant.
Mr. T.A. Mirza, APP for respondent.

- - - -

CORAM : A. B. CHAUDHARI, J.

DATE : 15th December, 2015.

Heard learned counsel for the rival parties.

In Crime No. 38/2015 registered with Police Station, Majri, Distt. Chandrapur, for the offences punishable under Sections 307, 324 and 506 read with Section 34 of Indian Penal Code, the applicant is being prosecuted,

The applicant seems to have assaulted the victim on his head by means of a wooden handle of the spade. By order dated 26th November, 2015, passed in Criminal Application [BA] No. 893 of 2015 made by another

accused Mohd. Halim Mohd. Khalil Siddiqui in the same crime, this Court had observed that there was no fracture, but then there was a contusion.

Be that as it may, the applicant was arrested on 11th November, 2015 and is in jail since then. By this time, investigation must have been completed. The offence under Section 307 of Indian Penal Code will not be made out prima facie. That being so, it would be in the fitness of things to direct the applicant to keep himself away from Majri till the charge-sheet is filed. Counsel for the applicant makes a statement that the applicant shall not enter Majri till the charge-sheet is filed, and shall not apply for modification of this order. In that view of the matter, the following order is passed:-

ORDER

- [a]** Criminal Application [BA] No. 915 of 2015 is allowed.
- [b]** Applicant shall be released on bail upon furnishing a Personal Bond in a sum of Rs. 10,000/- [rupees ten thousand only] with one surety in the like amount.
- [c]** The applicant shall not enter the limits of Majri till the charge-sheet is filed, and shall not apply for modification of this condition.

[d] Applicant shall inform the concerned Police Station where he would reside.

[e] The applicant shall not threaten, pressurize or influence the prosecution witnesses or tamper with the prosecution evidence. Any such act on the part of the applicant shall lead to recall of this order.

Judge

|hedau|