

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

CRIMINAL APPLICATION (ABA) NO.93/2016

Santosh S/o Nagorao Naitam

..Versus..

State of Maharashtra, through Police Station Officer, Pandharkawda, Distt. Yavatmal

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 15.2.2016

Heard Shri M.P. Kariya, advocate for the applicant and Shri T.A. Mirza, A.P.P. for the non-applicant.

The applicant is seeking pre-arrest bail apprehending arrest in crime registered against him for the offences punishable under Sections 307, 333, 353, 186, 379, 201 read with 34 of the Indian Penal Code.

The prosecution case is that the applicant was carrying sand in the trolley of tractor, without proper permission and documents. The learned advocate for the applicant has pointed the submission made on behalf of the applicant before the learned Sessions Judge that the applicant is willing to surrender the tractor and trolley. The learned advocate for the applicant, on instructions, states that the tractor and trolley involved in the crime can be retained at the police station until further orders are passed regarding it by the Sessions Court. The

applicant has stated on oath that criminal case has not been registered or reported against the applicant, earlier .

Considering the facts on the record and accepting the submissions made on behalf of the applicant, the following order is passed:

In the event of arrest of applicant in Crime No.17/2016 registered by the non-applicant, the applicant be released on bail on furnishing P.R. bond in the sum of Rs.20,000/- and one solvent surety in the like amount. The solvent surety shall be furnished by resident of Ballarpur, Taluka Kelapur, Distt. Yavatmal.

The applicant shall surrender the tractor and trolley to the Investigating Officer forthwith and the tractor and trolley shall be retained at police station until further orders regarding it are passed by the learned Sessions Judge.

The applicant shall attend the police station Pandharkawda, Distt. Yavatmal on alternate day between 10 a.m. to 1 p.m. The application is **allowed** in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE