

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

CRIMINAL APPLICATION (BA) NO.105 OF 2016

(Ashish @ Chotu s/o Bacchan Zha and another ..vs.. The State of Maharashtra, through PSO, PS Wadi,
Nagpur)

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.
DATED : 09-03-2016

Leave to correct the address of the applicant
No.1.

Heard Shri D.V. Chauhan, Advocate for the
applicants and Shri N.S. Khubalkar, Additional Public
Prosecutor for the non-applicant.

2. The applicants are arrested on 09-01-2016 in
crime registered against them for offences punishable
under Sections 364(A), 365, 386, 387, 120-B of the
Indian Penal Code, Section 3/25 of the Arms Act and
Section 135 of the Maharashtra Police Act.

3. The accusations against the applicants are that
they assaulted the complainant, forcibly took him away
in a Car and took away Rs.10,000/- and also the gold
chain which the complainant was wearing. It is further
alleged that the accused demanded Rs.5,00,000/- from
the complainant.

4. The application is opposed on the ground that earlier several crimes are registered against the applicant No.1 and as far as the applicant No.2 is concerned, he was externed for two years by the competent authority by the order dated 10-09-2012 and the petition filed by the applicant No.2 challenging the above order was dismissed.

5. After hearing the learned Advocate for the applicants and the learned Additional Public Prosecutor for the non-applicant and considering the material on the record, in my view, the applicants are entitled to be released on bail, however, on imposition of certain conditions.

6. Hence, the following order :

- i) The applicants having been arrested in Crime No.22/2016 registered by the non-applicant, they be released on bail, on furnishing P.R. Bond for Rs.50,000/- each and two solvent sureties in the like amount for each of them.
- ii) The applicants shall stay away from Nagpur.

It is submitted on behalf of the applicant No.1 that he will reside at the house of Shri Uttam Shivdas Kapse, Ward No.5, Mhada Colony, Near Seventh Mandir, Saoner, District Nagpur-441107. On behalf of the applicant No.2 it is submitted that he will reside at the house of Shri Ranjit

Vasantrao Kate, Mohan Nagar, Nagpur Wardha Highway Road, Wardha.

The applicant No.1 shall report at the concerned Police Station Saoner on every Monday and Thursday and the applicant No.2 shall report at the concerned Police Station City Kotwali, Wardha on every Monday and Thursday.

This condition shall be in force for period of six months from today.

- iii) After the above condition is relaxed i.e. after six months, the applicants shall regularly attend the sessions trial unless exemption is granted by the Sessions Court. In case, the applicants fail to attend any date of sessions trial without seeking exemption from the Sessions Court, this order shall stand recalled.
- iv) Needless to say that the applicants shall respond to the summons of the Investigating Officer and co-operate with the investigation.
- v) The application is allowed in the above terms.

JUDGE