

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

CRIMINAL APPLICATION (BA) NO.106 OF 2016

(Nikhil s/o Anil Dagor ..vs.. The State of Maharashtra, through PSO, PS Ambazari, 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 : 25-02-2016

Heard Shri R.M. Daga, learned Advocate for the applicant and Shri T.A. Mirza, learned Additional Public Prosecutor for the non-applicant.

2. The learned Additional Public Prosecutor has made submissions relying on the charge-sheet and the instructions received by him. It is submitted that draft reply is also ready, however, it could not be sworn as the Investigating Officer is on training at Pune.

3. The applicant is arrested in Crime No.13/2015 registered against eight persons including the applicant for the offences punishable under Sections 143, 147, 148, 149, 120-B, 201, 212 and 302 of the Indian Penal Code. Co-accused Lalit Vinod Turkel and Sharad Bhate are already granted bail. The charge-sheet is filed. The applicant has stated in paragraph No.14 of the application that he was not involved in any other crime earlier. The allegations against the applicant are that he

was present on the spot alongwith the other accused. The non-applicant has not been able to show that custody of the applicant is necessary for further investigation.

4. Considering the facts on the record, I am satisfied that the applicant is entitled to be released on bail.

5. Hence, the following order :

- i) The applicant having been arrested in Crime No.13/2015 registered by the non-applicant, he be released on bail, on furnishing P.R. Bond in the sum of Rs.25,000/- and two solvent sureties in the like amount, out of which one solvent surety shall be furnished by father, mother or brother of the applicant.
- ii) The applicant shall surrender his Passport to the Investigating Officer immediately. If the Passport is not issued in favour of the applicant by the Passport Authority, then the applicant shall file affidavit to that effect.
- iii) The applicant shall attend every date of sessions trial unless exemption is granted by the Sessions Court. In case the applicant fails to attend any date of Sessions Trial without seeking exemption from the Sessions Court, this order shall stand recalled.

iv) The application is allowed in the above terms.

JUDGE

pma