

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

CRIMINAL APPLICATION (BA) NO.121 OF 2016

(Shaikh Nishad s/o Sheikh Ismail ..vs.. The State of Maharashtra, through PSO, PS Wardha (City),
District Wardha)

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 : 21-03-2016

Heard Shri R.M. Daga, Advocate for the applicant
and Shri S.M. Bhagde, Additional Public Prosecutor for
the non-applicant.

2. The applicant is arrested on 18-05-2015 in crime registered against him, his father and brother. According to the prosecution, in the dinner after marriage ceremony, a quarrel took place between the father of the applicant and father of victim and at that time the brother of the applicant took out knife, gave it to the applicant and the applicant assaulted the victim and father of victim. The victim was hospitalized and subsequently he succumbed to the injury.

3. The charge-sheet is filed on 06-08-2015. The non-applicant has not been able to show that custody of the applicant is required for further investigation.

Considering the age of the applicant and the fact that the applicant has not been involved in any crime

earlier, in my view, the applicant is entitled to be released on bail.

4. Hence, the following order :

- i) The applicant having been arrested in Crime No. 214/2015 registered by the non-applicant, the applicant be released on bail, on furnishing P.R. Bond for Rs.25,000/- and two solvent sureties in the like amount.
- ii) The applicant shall surrender his Passport to the Investigating Officer before the applicant is released on bail. If the Passport Authority has not issued Passport in the name of the applicant, the applicant shall submit an affidavit to that effect to the Investigating Officer before the applicant is released on bail.
- iii) The applicant shall regularly attend the sessions trial unless granted exemption by the Sessions Court.
- iv) The application is allowed in the above terms.

JUDGE