

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

CRIMINAL APPLICATION (BA) NO. 122 OF 2016

(MOHD. ADIL MOHD. ANWAR..VS..STATE OF MAH., THR. PSO, PS ACHALPUR, DIST. AMRAVATI)

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 : MARCH 02, 2016.

Heard Shri P.W.Mirza, advocate for the applicant
 and Shri S.S.Doifode, A.P.P. for the non-applicant.

The applicant is arrested in the crime registered
 against him for the offences punishable under Sections 302,
 307, 143, 147, 148, 149, 120-B of the Indian Penal Code and
 Section 135 of the Maharashtra Police Act. The crime is
 registered against seven persons.

The case of the prosecution is that 15 persons
 assaulted Mohan and deceased Amit. As far as the present
 applicant is concerned, the allegations are that he was
 member of the unlawful assembly and gave blows with fists
 and kicks.

Shri P.W. Mirza, learned advocate for the
 applicant has pointed out the order passed by this Court on
 29th February, 2016 in B.A. No. 138 of 2016 by which bail is
 granted to three co-accused (Mohd. Shariq, Matin and
 Ashfaque). The applicant is in jail since 17th November, 2015.
 The charge-sheet is filed.

Considering the facts on record and as the non-applicant has not been able to show that the custody of the applicant is required for further investigation, in my view, the applicant is entitled to be released on bail.

Hence, the following order :

The applicant having been arrested in Crime No. 81 of 2015, registered by the non-applicant, he be released on bail on furnishing P.R. Bond for Rs.Twenty Thousand with two solvent sureties in the like amount.

The applicant shall attend every date of sessions trial unless exempted by the Sessions Court. In case, the applicant fails to attend any date of the sessions trial without seeking exemption from the Sessions Court, this order shall stand recalled.

The application is allowed in the above terms.

JUDGE

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