

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

CRIMINAL APPLICATION (ABA) NO.114/2016

Sayed Sharik s/o Sayed Gyasoddin

..Versus..

State of Maharashtra, through Police Station Officer, Police Station, Kalmana,
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.

DATE : 15.4.2016

Heard Shri R.S. Akbani, advocate for the applicant and Shri
N.S. Khubalkar, A.P.P. for the non-applicant.

The applicant apprehends arrest in crime registered against
him for the offence punishable under Section 407, 411 and 34 of
the Indian Penal Code and Sections 3 and 7 of the Essential
Commodities Act.

The accusations against the applicant are that he is the
owner of truck and was also driving it at the time of the incident and
while transporting the tur dal, less quantity was delivered at the
point of destination.

The application is opposed on the ground that there is
sufficient evidence against the applicant and after the Sessions

Court granted interim protection, the applicant had not co-operated with the investigation.

There is no complaint by the non-applicant that after this Court granted interim protection by the order dated 8th March, 2016 the applicant has not co-operated with the investigation.

Considering the facts of the case, the nature of accusations and as the non-applicant has not been able to show that the custody of applicant is required for further investigation, in my view, the interim order granted by this Court on 8th March, 2016 is required to be confirmed.

Hence, the following order:

- (i) In the event of arrest in Crime No.387/2015 registered by the non-applicant, the applicant be released on bail on furnishing P.R. Bond for Rs.10,000/- (Rs. Ten Thousand Only).
- (ii) Till the filing of the charge-sheet, the applicant shall attend the police station Kalmana, Nagpur on every Wednesday between 11 a.m. to 5 p.m.
- (iii) The application is **allowed** in the above terms.

JUDGE