

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 377 of 2016
[Mohd. Imran Mustaq Ahmed & others Vs. State of Mah.]
AND
Criminal Application [BA] No. 381 of 2016
[Mohd. Nazim Abdul Gaffar & two others Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Criminal Application No. 377/16 :

Mr. J.B. Gandhi, Adv., for the Applicants.
Ms. Kulkarni, APP for respondent.

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Criminal Application No. 381/16 :

Mr. Fule, Adv., holding for Mr. S.V. Sirpurkar, Adv., for the Applicants.
Ms. Kulkarni, APP for respondent.

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CORAM : A. S. CHANDURKAR, J.

DATE : 17th May, 2016

These applications have been moved under Section 439 of the Criminal Procedure Code, seeking release of the applicants on bail.

The Applicants have been arrested in Crime No. 109/16 registered at Khamgaon City Police Station, Distt. Buldana. The report, in question, was lodged on 5th

April, 2016, in which it was stated that on 4th April, 2016, the accused came near the house of the complainant and after abusing her, gave threats. It is further stated that one Raheman had removed an amount of Rs.5,000/- from the house of the complainant, and also held the hands of the complainant. There is also a statement that there was some damage to household property.

On 6th April, 2016, the Applicant No.1 in Criminal Application No. 381 of 2016 lodged another report bearing Crime No. 114/16, alleging that the accused therein, including the brothers of the complainant in Crime No. 109/16, had thrown stones on the children of the complainant. It is submitted by the learned counsel for the applicants that no specific role has been attributed to them and they have been unnecessarily implicated in the said offence. It is submitted that the accused in Crime No. 114/16 have been released on bail.

Reply has been filed on behalf of the prosecution, stating that the investigation is still in progress. There is an apprehension that the applicants, if released on bail, would threaten the complainant and the witnesses.

Heard.

Considering the complaint in Crime No. 109/16 as well as the reply filed on record, a case for releasing the applicants on bail has been made out, subject to

imposition of conditions. Hence the following order:-

ORDER

- [a]** The Applicants in Criminal Application Nos. 381 and 377 both of 2016 be released on bail on furnishing a Personal Bond for Rs. 15,000/- [rupees fifteen thousand only] each with two sureties of like amount.
- [b]** The Applicants shall not enter Mochi Galli, Tilak Maidan, Khamgaon, Distt. Buldana, till the charge-sheet is filed.
- [c]** The Applicants shall attend the City Police Station, Khamgaon, on every Monday and as per the directions of the Investigating Officer.
- [d]** No steps shall be taken to interfere with the investigation, or to tamper with the material collected by the Police.

Applications are allowed in the aforesaid terms.

Judge