

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

CRIMINAL APPLICATION (APPA) NO.597 OF 2016

IN

CRIMINAL APPEAL NO.336 OF 2016

Maksud Sheikh Gaffur Sheikh another

..VS..

State of Maharashtra, through Police Station Officer, Ramnagar Police Station,
Chandrapur

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

Court's or Judge's Order

Shri Mir Nagman Ali, counsel for the applicant.
Shri R.S. Nayak, Addl.P. for the non-applicant/State.

**CORAM : B.P. DHARMADHIKARI &
S.B. SHUKRE, JJ.**

DATED : NOVEMBER 18, 2016.

Heard learned counsel Shri Mir Nagman Ali
for the applicant and learned Additional Public
Prosecutor Shri R.S. Nayak for the non-applicant/State.

The matter was heard in the morning and in
order to understand exact implication of suggestions
given to PW1 and PW2 in cross examination about the
contents of report/statement, it was adjourned to
second half. It is not in dispute that the material
attempted to be demonstrated as omission forms part of
statements of PW1 as also PW2.

Prima facie, therefore, the witnesses take

the name of present applicant. Deposition also shows that all of them, thereafter, have entered into the house and given effect to the crime.

In this situation, though this Court has given bail to co-accused by name Sirajkhan Pathan @ Raja S/o Shahadat Khan Pathan, in the present facts, the application moved by Maksud Sheikh Gaffur Sheikh cannot be granted. Accordingly, it is rejected.

Preparation of paper book is expedited.

Liberty is given to the applicant to move an independent application pressing his alleged illness into service for grant of bail.

The criminal application is disposed of accordingly.

JUDGE

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 18/11/2016

...../-