

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

CRIMINAL APPLICATION (ABA) NO. 655 OF 2015

(PAPPU @ SUSHANT PRAKASH YADAV & 2 OTH...VS..STATE OF MAH., THR. PSO, PS KAMPTEE,
DIST. 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.

DATED : FEBRUARY 23, 2016.

None appears for the applicants.

Heard Shri H.R.Dhumale, learned A.P.P. for the
non-applicant.

The applicants are seeking pre-arrest bail
apprehending arrest in Crime No. 104/2015, registered
against them by the non-applicant for the offences punishable
under Sections 147, 148, 149, 307, 353, 332 r/w. 34 of the
Indian Penal Code, Section 4/25 of the Arms Act read with
Section 3 of the Prevention of Damage to the Public Property
Act, 1984 and Section 3(1)(x) of the Scheduled Castes and
the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegations against the applicants are that
they were members of the unlawful assembly of about 100-
120 persons belonging to Yadav caste which gathered at
Bouddha Vihar, armed with sticks, knives, swords, iron rods
and glass bottles and they intended to kill the complainant
and other persons of Bouddha community.

The learned A.P.P. has pointed out that Crime No.
106 of 2015 is separately registered against the applicants

along with other persons for the same incident and the applicants are granted pre-arrest bail by this Court by the order passed in Criminal Application (ABA) No. 656 of 2015 on 14th December, 2015.

Considering the above facts, the nature of incident and the nature of the allegations, in my view, the applicants are entitled for pre-arrest bail.

Hence, the following order :

In the event of arrest in Crime No. 104 of 2015, registered by the non-applicant, the applicants shall be released on bail on furnishing P.R. Bond in the sum of Rs.Five Thousand each and one solvent surety in the like amount for each of the applicant.

The application is allowed in the above terms.

CRI.APPLN. (APPP) NO. 1408/2015.

In view of disposal of the main application, the application praying for dispensing with certified copy of the order and F.I.R. does not survive, hence it is disposed of.

JUDGE