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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 863 of 2017

Mohammed Amin Mohammed Farooque .. Applicant.

Vs

The State of Maharashtra .. Respondent.

Mr. Mateen Shaikh a/with Sajid Qureshi for the applicant.

Mr. Prashant Jadhav, APP for the State.

Shri Ravindra Annaji Mankar, (API) Pawarwadi P.S., Malegaon present.

CORAM : C.V. BHADANG, J.

DATE : 17th May, 2017.

(VACATION JUDGE)

P.C.

1) Heard the learned Counsel for the applicant and the learned APP.

2) The applicant, one of the co-accused in an offence punishable under section 307, 143, 147, 148, 149, 323, 324, 109, 504 and 506 of IPC, registered with Pawarwadi Police Station, Malegaon being Crime No. 86 of 2016, is seeking anticipatory bail. Indisputably, there are counter cases arising out of the incident which is said to have occurred on 17th September, 2016 in which the applicant and some other co-

accused are allegedly involved. Further it is an admitted position that the investigation is complete and the charge-sheet is filed. It is further undisputed that in the counter case which is also registered for the offence punishable under Section 307 of IPC, some of the co-accused have been released on anticipatory bail.

3) The learned APP, on instructions, from the Investigating Officer who is present before the Court, states that as the investigation is complete and the charge-sheet is filed the investigating agency does not need custody of the applicant either for interrogation or for recovery. The learned APP further on instructions states that appropriate conditions may be imposed on the applicant. In such circumstances, the following order is passed:

ORDER.

(i) In the event of arrest in connection with investigation of Crime No. 86 of 2016 Pawarwadi Police Station, Malegaon the applicant shall be released on bail on executing a P.R. bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount;

(ii) The applicant shall undertake to remain present before the learned Sessions Judge during the course of the trial and shall not tamper or influence the prosecution witnesses;

(iii) In the event of breach of any of the conditions the bail is liable to be cancelled;

4) Application stands disposed of.

(C.V. BHADANG,J)