

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

CRIMINAL APPLICATION (ABA) NO.270/2017

Hemant S/o Bharigath Mishra

..Vs..

State of Maharashtra, through its Police Station Officer, Ramdaspath Police
 Station, Distt. Akola

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

Court's or Judge's orders

 Shri A. Mardikar, Sr. Adv. with Shri S.G. Joshi, Adv. for the applicant.
 Shri V.A. Thakre, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 7.7.2017.

Heard.

The applicant, apprehending arrest in connection with crime registered for offence punishable under Sections 326, 336, 504 and 506 read with Section 34 of the Indian Penal Code and Sections 4/25 of the Arms Act, has sought pre-arrest bail.

The application is opposed on the ground that the applicant is a habitual offender, earlier he is involved in 8 crimes, out of which 2 crimes were registered for offence punishable under Section 302 of the Indian Penal Code. It is submitted that because of terror of the applicant, the witnesses are not coming forward and are not co-operating with the investigating agency.

The learned Senior Advocate for the applicant has submitted that out of 8 crimes registered against the applicant, after trial he is acquitted in 6 cases. It is further submitted that one crime for offence punishable under Section 302 of the Indian Penal Code is registered

against the applicant when he was in jail when the incident took place.

The applicant claims that he is working as Recovery Agent with H.D.F.C. bank.

The applicant is granted protection by the order passed by this Court on 27th April, 2017.

Considering the facts of the case, following order is passed:

In the event of arrest in connection with Crime No.137/2017 registered by the non-applicant, the applicant be released on bail on furnishing cash security of Rs.1,00,000/- (Rs. One Lakh) and two solvent sureties in the like amount.

The applicant shall not enter Akola district till the conclusion of the trial, except for attending the sessions trial pending against him and the trial before the trial Court, and except with permission of the Sessions Court / trial Court.

The applicant shall provide within two weeks, the address where he will be residing till the conclusion of the trial.

The applicant shall provide his cell phone number.

The persons who will be furnishing solvent surety shall also provide their cell phone numbers.

The application is **allowed** in the above terms.

JUDGE