

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

CRIMINAL APPLICATION (ABA) NO. 431 OF 2017

(SHEIKH SHAKIR SHEIKH HASHAM...VS.. STATE OF MAH. THR. P.S.O. PS BORAKHEDI, TAH-
MOTALA, DISTT.BULDHANA)

WITH

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(SHEIKH BISMILLA SHEIKH HASHAM...VS.. STATE OF MAH. THR. P.S.O. PS BORAKHEDI, TAH-
MOTALA, DISTT.BULDHANA)

WITH

CRIMINAL APPLICATION (ABA) NO. 433 OF 2017

(SHEIKH JABIR SHEIKH HASHAM...VS.. STATE OF MAH. THR. P.S.O. PS BORAKHEDI, TAH-
MOTALA, DISTT.BULDHANA)

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

Court's or Judge's orders

Shri Devendra Mahajan, Advocate for Applicants.
Shri V. A. Thakre, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 13th JULY, 2017.

These three applications are disposed by common order as the applicants in these applications seek pre-arrest bail, apprehending arrest in connection with same crime registered for the offence punishable under Sections 143, 147, 148, 149, 324, 504, 506, 307 of the Indian Penal Code.

According to the facts on record, the incident occurred because of a quarrel which cropped up due to cutting of tree by some of the applicants. According to the complainant, the tree which was being cut stood in his field.

The application is opposed on the ground that earlier also similar incident occurred, that the applicants are

residing outside the territorial jurisdiction of the police station and investigation is in progress.

By order passed on 22nd June, 2017, this Court has granted protection to the applicants imposing condition of attendance at police station. The Investigating Agency has not complained that the applicants have not co-operated with the Investigating Agency. The facts on record show that custodial interrogation of the applicants is not necessary.

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

In the event of arrest in connection with Crime No.133 of 2017 registered by the non-applicant, the applicants be released on bail on executing P. R. Bond for Rs.25,000/- each and furnishing one solvent surety in the like amount for each of the applicant.

To counter the opposition of the non-applicant on the point that the applicants are residents of Gujarat and it will be difficult to secure their presence at the trial, the learned advocate for the applicants, on instructions, has stated that the solvent surety in case of each of the applicants will be furnished by their relative residing in Buldhana District. The statement is accepted. The solvent surety shall be furnished by the relative of applicants residing in Buldhana District.

The applications are **allowed** in the above terms.

JUDGE