

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

CRI. APPLICATION (BA) NO. 637 OF 2017

(MANWAR SHAH GULJAR SHAH...VS.. STATE OF MAH.THR.P.S.O., WADGAON RAOD, YAVATMAL)

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

Court's or Judge's orders

Shri R.M.Daga, Advocate for Applicant.
Shri V.A.Thakare, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.
DATED : JULY 14, 2017.

Heard.

The applicant is arrested on 7th June, 2017 in connection with crime initially registered for the offence punishable under Sections 307, 143, 144, 147 and 427 of the Indian Penal Code, however, subsequently Sections 148, 149, 294, 427, 379, 392 of the Indian Penal Code are added.

According to the Investigating Agency, infuriated by the propaganda of the complainant that the applicant and co-accused have misappropriated the amount of donations paid for welfare of religious institution, the accused assaulted the complainant and snatched away his cellphone, gold ring and Rs.3,000/-.

The application is opposed on the ground that the complainant sustained injuries and the evidence available with the Investigating Agency shows involvement of the applicant in commission of the crime.

The learned advocate for the applicant has submitted that the co-accused Shakil Shah, Sk. Shabbir and Sk. Mehmood are released on bail as per the order passed by the Sessions Court.

The applicant, aged about 45 years claims to be a businessman and has pointed out that he is permanent resident of Bhosa, District : Yavatmal and has stated that he is not involved in any other crime / offence. The non-applicant has not been able to satisfy that the custody of the applicant is required for further investigation.

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

The applicant having been arrested in connection with Crime No.584 of 2017, registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Twenty Five Thousand and furnishing one solvent surety in the like amount.

The applicant shall not enter village Bhosa till the charge-sheet is filed. The applicant has stated that he will reside at Yavatmal. The applicant shall give detail address where he will be residing at Yavatmal, to the Investigating Officer.

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

JUDGE