

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

CRI. APPLICATION (ABA) NO. 504 OF 2017

(SHEIKH JAKIR SHEIKH HASHAM...VS.. STATE OF MAH.THR.P.S.O., BORAKHEDI, DIST. BULDANA)

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

Court's or Judge's orders

Shri D.V.Mahajan, Advocate for Applicants.
Shri T.A.Mirza, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 17, 2017.

Heard.

Apprehending arrest in connection with Crime No.133 of 2017 registered for the offences punishable under Sections 143, 147, 148, 149, 324, 504, 506 and 307 of the Indian Penal Code, the applicant seeks pre-arrest bail. The crime is registered against 9 accused (including applicant). As per the Investigating Agency, when the complainant went to the spot in the field he noticed that co-accused Sk. Jabir and Sk. Bakir were cutting tree and when cousin brother and nephew of the complainant opposed them, the accused started assaulting cousin brother and nephew of the complainant.

The application is opposed on the ground that the applicant has assaulted the victims and is the main accused and earlier also similar complaints are lodged against him.

The learned advocate for the applicant has pointed out that this Court has directed that co-accused

Sheikh Jabir Sheikh Hasham, Sheikh Shakir Sheikh Hasham and Sheikh Bismillah Sheikh Hasham be released on bail in the event of their arrest in connection with Crime No.133 of 2017 and co-accused Sheikh Shabbir Sheikh Hasham, who was arrested, is also directed to be released on bail by order passed on 13th July, 2017.

The learned advocate for the applicant has submitted that registration of the earlier crime is also because of the false complaint which was lodged as there had been some dispute about the rights over Dhura. It is submitted that except for registration of that earlier crime no other crime is registered against the applicant.

Considering the facts of the case, it is directed that in the event of arrest in connection with Crime No. 133 of 2017, registered by the non-applicant, the applicant be released on bail on executing P.R. Bond for Rs.Twenty Thousand and furnishing one solvent surety in the like amount.

Till charge-sheet is filed, the applicant shall attend Police Station, Borakhedi, Tahsil : Motala, District : Buldana on every Thursday and Sunday between 10.00 a.m. and 1.00 p.m.

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

JUDGE