

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

CRI. APPLICATION (ABA) NO. 523 OF 2017

(GANESH RAJENDRA VARMA....VS.. STATE OF MAH.THR.P.S.O., MALEGAON, DISTT. WASHIM)

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

Court's or Judge's orders

Shri S.D.Chande, Advocate for Applicant.
Shri A.D.Sonak, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 24, 2017.

Heard.

Apprehending arrest in connection with Crime No.161 of 2017, registered against the applicant and 9 others for the offences punishable under Sections 143, 148, 149, 323, 352, 504, 506(2) of the Indian Penal Code and Sections 4, 25 and 5, 27 of the Arms Act, the applicant has sought pre-arrest bail.

The crime is registered on the complaint lodged by Sk. Mohsin Sk. Maksood that the applicant and other accused assaulted him and the applicant tried to give a blow by sword, however, the complainant fled away and could save himself.

The application is opposed on the ground that the applicant is habitual offender and about 12 crimes, including the present one, are registered against the applicant. The learned advocate for the applicant has submitted that in three cases the applicant is acquitted after trial. It is further

submitted that the applicant is President of a political outfit and therefore, in most of the cases he is falsely implicated.

The facts on record show that Dinesh Rudmal Ahir (neighbour of the applicant) filed complaint against the persons belonging to group of Sk. Mohseen Sk. Maksood on 7th May, 2017 at 17.00 hrs. and Sk. Mohseen Sk. Maksood filed complaint on 8th May, 2017 at 05.27 p.m.

Though it is alleged that the applicant attempted to assault the complainant by a sword, no injuries are reported on the person of the complainant.

Considering the fact that the non-applicant has not been able to point out that the custody of the applicant is required for investigation, the following order is passed:

In the event of arrest in connection with Crime No.161 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.

The application is **allowed** accordingly.

JUDGE