

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

CRIMINAL APPLICATION (BA) NO.692/2017

Imran Ali Ahmad Ansari and another

..Vs..

The State of Maharashtra, through P.S.O. Tumsar, Distt. Bhandara

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

Court's or Judge's orders

Shri M.R. Khan, Adv. for the applicants.
Shri T.A. Mirza, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATE : 27.7.2017.

Heard.

The applicants are arrested on 25th May, 2017 in connection with Crime No.177/2017 registered for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code and Sections 3/25 of the Arms Act and Section 135 of the Maharashtra Police Act.

The crime is registered on the complaint lodged by complainant that the applicants intended to kill the complainant and with that intention gun shot was fired at the complainant, however, fortunately the complainant escaped unhurt. Though the application is opposed on the ground that gun is seized from the applicant No.2, to substantiate the plea that the applicants intended to kill the complainant, the investigating agency has not been able to point out that

the bullet alleged to have been fired towards the complainant is recovered.

Be that as it may, the applicants are in jail for more than 2 months. The non-applicant has not been able to point out that further custody of the applicant is required for investigation. The applicants, aged about 28 years and 26 years (real brothers), claim to be Agriculturists and have stated that they are not involved in any other crime / offence.

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

The applicants having been arrested in connection with Crime No.177/2017 registered by the non-applicant, they be released on bail on executing P.R. bond for Rs.5,000/- (Rs. Five Thousand).

The application is **allowed** accordingly.

JUDGE