

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

CRI. APPLICATION (ABA) NO. 558 OF 2017

(FIROZ AHMAD SAFAT AHMAD ANSARI & ANR....VS.. STATE OF MAH.THR.P.S.O., JUNI KAMPTEE,
 NAGPUR)

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

Court's or Judge's orders

Shri S.S.Jaiswal, Advocate for Applicants.
 Shri V.A.Thakre, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 01, 2017.

Heard.

Apprehending arrest in connection with Crime No.55 of 2017, registered against the applicants, for the offences punishable under Sections 143, 149, 452, 323, 354, 294 and 506-II of the Indian Penal Code and Sections 3, 4 and 25 of the Arms Act, the applicants seek pre-arrest bail.

The crime is registered on 4th July, 2017 on the complaint lodged by Kanij Bano that the applicants barged into her house and misbehaved with her. According to the complainant (Kanij Bano), the incident occurred in the night between 28th and 29th June, 2017. The facts on record show that the wife of the applicant No.1 lodged complaint against the husband and other relatives of Kanij Bano on 29th June, 2017.

In the say given by the Investigating Agency before the Sessions Court it is stated that the applicants are dreaded criminals and no-one is coming forward to give

statement/ evidence against them. It is stated that because of the activities of the applicants there is a threat to law and order situation in the town. Though such serious accusations are made against the applicants, the non-applicant has not pointed out that any crime is registered against the applicants earlier.

It is submitted on behalf of the applicants that because of the political rivalry a false complaint was made against the applicant No.1 on the basis of which crime is registered against the applicant No.1 for the offence punishable under Section 143 and 427 of the Indian Penal Code. The applicant No.2, aged about 19 years, claims to be a student and it is submitted that he is not involved in any other crime/ offence earlier. The non-applicant has not been able to point out that custody of the applicant is required for further investigation.

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

In the event of arrest in connection with Crime No.55 of 2017, registered by the non-applicant, the applicants be released on bail on executing P.R. Bond for Rs.Twenty Thousand each.

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

JUDGE