

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

CRIMINAL APPLICATION (BA) NO.728/2017

Shaikh Javed S/o Shaikh Bismilla

..Vs..

The State of Maharashtra, through Police Station Officer, P.S. Dabki Road,
Distt. Akola

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

Court's or Judge's orders

Ms. F.N. Haidari, Adv. for the applicant.
Shri T.A. Mirza, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATE : 3.8.2017.

Heard.

The applicant is arrested on 3rd August, 2015 in connection with Crime No.86/2015 registered against 10 accused for the offence punishable under Sections 302, 307, 147, 148 and 149 of the Indian Penal Code, Sections 4/25 of the Arms Act and Section 135 of the Maharashtra Police Act.

The charge-sheet is filed on 27th October, 2015. The learned Advocate for applicant has submitted that co-accused Shaikh Akil and co-accused Sheikh Mehboob, against whom the allegations are similar, are released on bail as per the orders passed by this Court. It is further submitted that co-accused Mohammad Azim is also released on bail as per the order passed by the Sessions Court.

The application is opposed on the ground that if the applicant is released on bail, there is possibility of some untoward incident, looking to the nature of

incident. To dispel this apprehension, the learned Advocate for the applicant has submitted that the accused will not enter limits of Akola Municipal Corporation till the trial except for attending the trial and will stay at Akot.

Considering that the co-accused are released on bail, the trial has not commenced and the applicant is in jail for about 2 years, following order is passed:

The applicant having been arrested in connection with Crime No.86/2015 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand) and furnishing two solvent sureties in the like amount.

The applicant shall not enter the limits of Akola Municipal Corporation till the trial concludes and shall stay at Akot as submitted on his behalf.

The applicant be released only after the address where the applicant intends to reside at Akot is supplied to the investigating agency.

The applicant is permitted to attend the Sessions trial and he shall attend the sessions trial regularly on every date unless granted exemption by the Sessions Court.

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

JUDGE