

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.1100 OF 2017

Sheikh Maksud s/o Sheikh Mehmood, R/o Sector-C, Near Kabrastan Hasanbag, Nagpur
-vs-

State of Maharashtra, Thr. PSO, PS Lakadganj, Dist. Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. S. Jaiswal, Advocate for applicant.
Ms Shamsi Haider, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.
DATE : November 30, 2017

The applicant who has been arrested on 12/10/2017 in connection with Crime No.204/2017 registered with Police Station Lakadganj, Dist. Nagpur for the offence punishable under Sections 342, 395 and 34 of the Indian Penal Code seeks his release on bail.

As per the First Information Report dated 08/09/2017 the informant at about 1 pm was travelling on his two wheeler along with his friends. At that point of time a black coloured car blocked the way of the informant. Thereafter another car came there. The occupants of both the car gave fist blows and snatched the gold chain of the informant and also inflicted minor injuries. The accused then sat in both the cars and left the place. As per report, the applicant was one of the occupants in the car. He came to be arrested on 12/10/2017.

It is submitted on behalf of the applicant that he is falsely implicated in the aforesaid offence. After his arrest nothing

has been seized from him. Both the vehicles have been now seized and the investigation is almost complete. It is further submitted that applicant does not have any antecedents and hence he be released on bail.

The application is opposed by the learned Additional Public Prosecutor by relying upon police papers. It is submitted that the applicant was named by one of the witnesses during identification parade. Nothing has been seized from the applicant. He did not co-operate with the investigation. It is therefore submitted that applicant does not deserve to be released on bail.

Perused the police papers. The applicant was seen as one of the occupants in a car in which the other accused had escaped. The applicant was arrested after more than a month of lodging of the report. There is no seizure effected from him. The car in question has been seized. Considering the role attributed to the present applicant, he can be enlarged on bail subject to imposing conditions.

Accordingly, the applicant Sheikh Maksud s/o Sheikh Mehmood who has been arrested on 12/10/2017 in connection with Crime No.204/2017 registered with Police Station Lakadganj, Dist. Nagpur for the offence punishable under Sections 342, 395 and 34 of the Indian Penal Code is directed to be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety in the like amount.

The applicant shall attend the concerned police station on every alternate Monday between 11 am and 1 pm till filing of the charge-sheet. No steps be taken to influence the prosecution witnesses.

The observations made in this order are only for deciding this application which is allowed and disposed of.

Pending misc. applications are also disposed of.

JUDGE