

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

**CRIMINAL APPLICATION (BA) NO.1147/2017**

**Shaikh Ayub @ Chotya s/o Shaikh Kayyum**

**..vs..**

**State of Mah., thr. Police Station Old City, Akola, Taluka and District Akola**

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

Court's or Judge's Order

Shri N.R. Tekade, Counsel for the applicant.

Shri V.A. Thakare, Addl.P.P. for the State.

**CORAM : V.M. DESHPANDE, J.**

**DATED : DECEMBER 18, 2017.**

1. Heard learned counsel Shri N.R. Tekade for the applicant and learned Additional Public Prosecutor Shri V.A. Thakare for the State.

2. The applicant is arrested in connection with Crime No.126 of 2017 registered with Police Station Old City, Akola for the offences punishable under Sections 295, 323, 324, 354, 427, and 452 read with Section 34 of the Indian Penal Code and Sections 4 and 25 of the Arms Act, 1959 read with Section 3(1)(r)(s)(t)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. It is submitted by learned counsel Shri N.R. Tekade for the applicant that the charge-sheet is already filed and all other accused persons are released on bail by this

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**Court.**

**4. He invited my attention to the role attributed to the present applicant and the role attributed to the persons who are already released on bail.**

**5. Perusal of the first information report it appears that the role is near about identical except utterances and an act insofar as Section 354 of the Indian Penal Code is concerned, is a distinguishable factor.**

**6. Since the charge-sheet is already filed and other accused persons, insofar as assault is concerned, are already released on bail, I see no reason that the applicant should be kept behind the bars. Hence, I pass the following order:**

**ORDER**

**(i) The criminal application is allowed.**

**(ii) Applicant Shaikh Ayub @ Chotya s/o Shaikh Kayyum be released on bail on his executing a P.R. Bond in the sum of Rs.50,000/- with two solvent sureties of the like amount in connection with Crime No.126 of 2017 registered with Police Station Old City, Akola for the offences punishable under Sections 295, 323, 324, 354, 427, and 452 read with Section 34 of the Indian Penal Code and Sections 4 and 25 of the Arms Act, 1959**

read with Section 3(1)(r)(s)(t)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

(iii) The applicant shall attend the police station twice in a month i.e. on 1<sup>st</sup> and 3<sup>rd</sup> Saturday of every month and shall be in the police station between 11:00 a.m. and 3:00 p.m..

(iv) The applicant shall not indulge in the activities of pressurizing any of the prosecution witnesses.

(v) With this, the criminal application is allowed and disposed of.

**JUDGE**

!! BRW !!

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