

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

CRIMINAL APPLICATION (BA) NO.1179 OF 2017

Mohd. Akib s/o Abdul Sattar Sheikh, R/o 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 C. R. Thakur, Advocate for applicant.

Shri A. A. Madiwale, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : December 07, 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 and 395 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. The applicant 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. He is not named in the First Information Report. He was arrested after three days of

lodging of the report. After his arrest nothing has been seized from him. Both the vehicles in question 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 applicant was named by the informant. 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. Though the applicant was arrested subsequently, there is no recovery from him. Both the vehicles in question have been seized. Considering the fact that the applicant was not named in the First Information Report and that there is no recovery from him, he can be enlarged on bail subject to imposing conditions.

Accordingly, the applicant Mohd. Akib s/o Abdul Sattar Sheikh, 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 and 395 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