

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 489 OF 2015
Ehtesham Abdul Kalam Shaikh vs. Wasim Ahmed Mohammed
and ors.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.A.Shaikh for the Applicant.

Mrs. J.S. Lohokare, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 23rd January, 2018

P.C.

1. This is an application for cancellation of anticipatory bail granted to respondent Nos.1 and 2 by the 2nd additional Sessions Judge, Thane by its order dated 13.7.2015.
2. Heard the learned counsel for the applicant and the learned APP for the State.
3. Perused the record
4. The learned counsel for the applicant submitted that the Trial Court has granted anticipatory bail to the respondents after filing of charge sheet and has committed an error in deciding the said application. The record indicates that it is the allegation against the respondent Nos. 1 and 2 that they gave contract to Danish Shaikh and Basare Alam to assault the

complainant/applicant in Court premises at Bhiwandi. The said contract was given due to the enmity between the complainant and respondent Nos. 1 and 2. The said two accused persons who actually assaulted the complainant were arrested by the police and are now released on bail. The Trial Court while granting pre-arrest bail to the applicants has observed that the the investigation relating to conspiracy can be done without custodial interrogation of the applicants therein (respondents herein).

5. After perusing the record and the impugned order this Court is of the view that the Trial Court has not committed any error either in law or on facts while passing the impugned order dated 13.7.2015 and no interference at the hands of this Court is therefore necessary.

6. Application is accordingly rejected.

(A.S.GADKARI, J.)