

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

CRIMINAL APPLICATION (BA) 333 OF 2018

(Mohd Shahabad @ Ballu Subhan Ali Abbasi..vs.. The State, thr PSO, PS Guggus)

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

Court's or Judge's orders.

Shri M.N. Ali, counsel for the applicant.
Shri T. A. Mirza, APP for State.

CORAM: ROHIT B. DEO, J.

DATE: 18th June, 2018.

Heard.

2 The applicant is in custody since 10.7.2017 in connection with Crime 409 of 2017 registered at Police Station, Ghuggus, District Chandrapur for offence punishable under section 307, 450, 452 read with section 34 of the Indian Penal Code and section 3 read with section 25 and section 5 read with section 27 of the Arms Act.

3 The case of the prosecution is that the applicant fired a shot which hit Rakesh on the thigh. The co-accused one Kalwa also fired on the complainant by the same pistol and fortunately missed the target. The background of the incident is alleged to be a relationship between co-accused Kalwa and the sister of the complainant.

4 In the light of the material on record and particularly the case of the prosecution that the bullet fired by the applicant hit the thigh and not a vital organ, the relatively tender age of the applicant who is 19 years old and is said to be a student and the fact that the applicant

has no criminal antecedents, I do not see any propriety in continued the incarceration of the applicant, since the chargesheet is already filed.

5 The applicant shall be released on furnishing personal bond of Rs. 15,000/- with a solvent surety of like amount.

6 The applicant shall report Police Station, Ghuggus on Saturday once in a month between 10.00 a.m. to 12.00 p.m. till the conclusion of the trial.

7 The applicant shall not tamper with the evidence nor shall attempt to influence the witnesses in any manner.

JUDGE

RS Belkhede