

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

Criminal Application (ABA) No.563 of 2018
(Imran Mobin Sheikh @ Babu Patel .vs. State of Maharashtra through PSO
PS Adyal, Bhandara)

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

Court's or Judge's orders.

Mr. P.S. Jaiswal, Advocate for Applicant.
Mr. M.K. Pathan, APP for Non-applicant.

CORAM : NITIN W. SAMBRE, J.
DATED : AUGUST 20, 2018.

In a Crime No. 72 of 2018 registered with the non-applicant for offences punishable under Sections 143, 147, 148, 149, 452, 324 and 325 of the Indian Penal Code, the applicant is seeking pre-arrest bail.

The applicant is not specifically named in the first information report. However, the applicant's bail application came to be rejected on the ground that the applicant has supported the other accused persons for commission of the crime in question.

Perused the reply filed by the learned APP. The applicant-accused is a member of the unlawful assembly, however, no specific role could be inferred from the contents of the reply.

Before the trial Court, the application for grant of pre-arrest bail was objected as it is claimed that the applicant has provided the vehicle which is required to be seized in the crime in question.

In the aforesaid background, in my opinion, the custodial interrogation of the applicant is not

warranted. The application, therefore, deserves to be allowed. Hence the order:-

(i) In the event of the arrest of the applicant in Crime No. 72 of 2018 registered with the non-applicant for offences punishable under Sections 143, 147, 148, 149, 452, 324 and 325 of the Indian Penal Code, the applicant be released on furnishing personal bond of Rs.15,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall stay away from the jurisdiction of Adyal Police Station till the filing of the charge-sheet, but for attending the dates of hearing.

(iii) The applicant shall not tamper with the prosecution evidence nor shall attempt to influence the prosecution witnesses in any manner.

JUDGE

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