

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

CRIMINAL APPLICATION (ABA) NO. 674/2018

Shri Deepak Kumar S/o Naresh Prasad Singh & anr.

..VS..

State of Maharashtra, Thru Officer-in-Charge, Majari PS, Majari, Tahsil-Bhadrawati, Dist.
Chandrapur

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

Court's or Judge's orders

Shri A.N. Ansari, Advocate for the applicants
Shri N.B. Jawade, APP for the non-applicant/State
Shri A.C. Jaltare, Advocate appears to assist the prosecution

CORAM : Z.A.HAQ, J.

DATED : 11/10/2018

CRIMINAL APPLICATION (APPP) NO. 1719/2018

Shri A.C. Jaltare, Advocate appears and states that he has instructions to file application on behalf of the complainant/informant (Prakash Bhoyar) to assist the prosecution.

The prayer made in the application to assist the prosecution is granted.

The criminal application is **allowed** accordingly.

CRIMINAL APPLICATION (ABA) NO. 674/2018

Apprehending arrest in connection with Crime No. 231/2018 registered by the non-applicant for the offences punishable under Sections 353, 294, 504, 506 and 34 of the

Indian Penal Code, the applicants seek pre-arrest bail. The accusations against the applicants are that they, alongwith 15 to 20 persons, entered the cabin of the Regional General Manager of W.C.L. when a meeting was going on and demanded immediate action regarding release of the amount of unpaid bills.

The application is opposed on the ground that there is ample material available with the Investigating Agency to substantiate its allegations against the applicants. The Investigating Agency has further pointed out that another crime for the offences punishable under Section 341 and Section 395 of the Indian Penal Code is registered against the applicant no. 1/Deepak Kumar.

The learned advocate for the applicants has pointed out the order passed by this Court on Criminal Application (ABA) No. 206/2013 on 25/04/2013 by which the applicant no. 1/Deepak Kumar was granted pre-arrest bail, in case of his arrest in connection with FIR No. 10/2013 registered by Majri Police Station for the offences punishable under Section 341 and Section 395 of the Indian Penal Code.

Be that as it may, accepting the submission made on behalf of the applicants (aged about 32 and 23 years respectively) that they are in employment with J.M.J.M. Constructions at Majri and any other crime (except FIR No. 10/2013 referred above) is not registered against them, and considering the nature of accusations against the applicants and as the non-applicant has not been able to show that custody of the applicants is necessary for further investigation, the following order is passed:

In the event of arrest in connection with Crime No. 231/2018 registered by the non-applicant, the applicants be released on bail on furnishing cash security of Rs. 20,000/- each and one solvent surety in the like amount for each of the applicant.

The applicants shall furnish the cash security within one week.

The cash security that would be deposited by the applicants be treated as Muddemal and orders regarding its disbursal shall be passed at the time of conclusion of the trial.

The undertaking given on behalf of the applicants that they will not enter the premises/compound of W.C.L. and its complex at Majri, Tahsil Bhadrawati, District Chandrapur till the trial concludes, is accepted.

The application is **allowed** in the above terms.

JUDGE

Ansari