

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
CRIMINAL APPLICATION (ABA) NO. 865 OF 2018

(Syed Ayyaz Syed Azad vs. State of Maharashtra thr. PSO, PS Malkapur City, Buldhana)

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

Court's or Judge's orders.

CORAM : M.G. GIRATKAR, J.
DECEMBER 05, 2018.

Shri C.G. Barapatre, learned counsel for the applicant and Shri H.D. Dubey, learned APP for the respondent – State.

The offence punishable under Sections 307, 452, 324, 143, 147, 148 & 506 of the Indian Penal Code read with Section 4 and 25 of Arms Act, are registered against the applicant.

The learned counsel submits that the applicant has not played any role, on the contrary he himself sustained injuries.

On the report filed by the complainant, an offence punishable under Sections 324, 323, 504, 506 read with Section 34 of Indian Penal Code has been registered.

The applicant is involved in a serious offence punishable under Section 307 of the IPC. As per the case of the prosecution, he was one of the member of unlawful assembly and whether he played active role or not, is not to be seen. If he is a member of unlawful assembly, then everybody is equally liable. Hence, he is not entitled to anticipatory bail. Hence, application is rejected.

JUDGE