

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION (ALS) NO.48 OF 2018

The State of Maharashtra

...Applicant

vs.

Haroon Rashid Abdul Hamid Naik @

Umar Akabar @ Mustaq Shaikh @ Salauddin and Anr. ...Respondents

Mr. J. P. Yagnik for the Applicant.

Ms. Hetali Seth for Respondent Nos.1 & 3.

Mr. Gaurav Bhawnani for Respondent No.2.

**CORAM : B. P. DHARMADHIKARI &
PRAKASH D. NAIK, JJ.**

DATE : 02/04/2019.

P.C.:

. Heard. Perused evidence of PW-17 and PW-18. Prima facie we find that the effect of participation in activity of organization which has been banned later on, may require evaluation. Hence leave as prayed for is granted. Admit. To be heard along with Appeal Nos.148/2018 and 895/2018 filed by accused Nos.1 and 2 challenging their conviction.

2. Respective learned counsel waive service of notice for the respondents.

3. In view of section 370 of Cr.P.C. and as respondent No.3 is already acquitted by trial Court, we grant him interim bail on his furnishing to trial Court two sureties in the sum of Rs.50,000/- each and also personal undertaking that he shall undertake to reside and to continue to reside at the address to be furnished to the concerned police station and to this Court and shall also give his contact numbers in that affidavit.

4. These directions be complied with within 4 weeks from today.
5. As a condition of bail, he shall also report to the Superintendent or Registrar of Trial Court on first working Monday once in a period of two months.
6. Failure to report or failure to comply with direction contained herein shall tantamount to breach of bail order and it shall empower the Trial Court to take him in custody in accordance with law.

(PRAKASH D. NAIK, J.)

(B. P. DHARMADHIKARI, J.)