

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

Criminal Application (BA) No. 345 of 2019

(Ashraf Khan s/o Jabbar Khan Vs. State of Maharashtra)

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

Court's or Judge's orders

Shri P. P. Kotwal, Advocate for the applicant
Shri V. P. Gangane, APP for the State/respondent

CORAM : M. G. GIRATKAR, J.

DATED : 02/05/2019

Heard learned Advocate Shri Kotwal for the applicant.

2. Applicant is arrested for the offences punishable under Sections 307, 506 (B) and 120 (B) read with Section 34 of IPC and Sections 4/25 of Arms Act and 3(1)(iii), 3(2), 3(4) of MCOC Act.

3. Learned Advocate Shri Kotwal for the applicant has submitted that provisions of MCOC Act are not applicable to the accused. There was no other crime except the present crime before the arrest of accused. There was no other crime alongwith syndicate, the present crime is the only crime registered against the applicant alongwith others. Learned Advocate for the applicant has submitted that the applicant has not made any assault.

4. Shri Gangane, learned Additional Public Prosecutor has submitted that after registration of this crime, one more crime is registered. Except that there is no other crime against the present applicant.

5. In view of the offence registered against the applicant and the submissions made by the learned Advocate for the

applicant, the applicant is entitled for bail. Hence, the following order.

- (i) Criminal Application is allowed.
- (ii) The applicant be released on bail on his executing a P.R. Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.
- (iii) The applicant shall not involve in any crime with the syndicate in the future.
- (iv) The applicant shall not tamper with the evidence of prosecution witnesses.
- (v) If the applicant commits breach of this order, bail granted to him shall automatically stand cancelled.

JUDGE