

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

CRIMINAL APPLICAITON (BA) No. 635 of 2019

Tasabbur Ahmed @ Tassu Wasim Ahmed
..VS..

State of Maharashtra Through PSO PS Mankapur

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

Court's or Judge's orders

Shri. M. N. Ali, Advocate for the applicant.
Shri. A. D. Sonak, APP for the non-applicant State.

CORAM : Manish Pitale J
DATED : 06.08.2019

The applicant has approached this Court seeking bail as he stood arrested on 18.05.2017 in connection with First Information Report (FIR) of the same date registered against him and three other co-accused persons for offence under Section 307 read with 34 of Indian Penal Code (IPC).

2. It is pointed out by the learned counsel for the applicant that the role attributed to the applicant is the same as co-accused Sheikh Wasim Sheikh Musa and that is of having held the victim while the other two co-accused persons assaulted him with a weapon. It is further pointed out that by order dated 09.07.2019, this Court granted bail to the said co-accused Sheikh Wasim Sheikh Musa on the ground that the applicant had been behind bars since more than two years and that the trial was proceeding on a very slow pace for the reasons not

attributable to the accused. The learned counsel for the applicant has raised parity as a ground for grant of bail in the present case also.

3. Although the learned APP has opposed grant of bail to the applicant in the present case contending that the trial has already commenced, it is evident that the proceedings before the Trial Court are very slow in progress and the delay in proceeding before the Trial Court is not attributable to the applicant herein. It is also on record that the applicant has been behind bars since 18.05.2017, which is more than two years.

4. Hence, the applicant has made out a case for grant of bail. Accordingly, the present application is allowed and the applicant is directed to be released on bail on furnishing P.R.Bond of Rs.50,000/- and surety in the like amount. The applicant shall attend proceedings before the Trial Court on each and every date. The applicant shall not either tamper with the evidence or influence the witnesses.

JUDGE