

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

CRIMINAL APPLICATION (ABA) NO.525/2019

Shafiquella Khan s/o Barkatulla Khan Patel and Ors. .vs. State of
Maharashtra, through PSO P.S. Akot Gramin, Dist. Akola.

AND

CRIMINAL APPLICATION (ABA) NO.526/2019

Imranulla Khan s/o Azarulla Khan Patel .vs. State of Maharashtra, through
PSO P.S. Akot Gramin, Dist. Akola.

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

Court's or Judge's orders.

Mr. F. T. Mirza, Advocate for applicants.

Mr. M. J. Khan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : SEPTEMBER 26, 2019

These are the applications for pre-arrest bail. Applicants in these two applications are apprehending their arrest in connection with Crime No.234/2019, registered with Police Station, Akot Gramin, Dist. Akola for an offence punishable under Sections 302, 307, 324, 452, 143, 147, 148, 149, 294 of the Indian Penal Code (IPC).

At the outset, Mr. Mirza, learned counsel appearing in these applications, would submit that during the pendency of these applications, the investigating officer has completed entire investigation and final report is already presented before the competent Court. He, therefore, submits that the applicants, who are protected since 02.08.2019, be protected for further seven days so as to enable them to file applications for grant of regular bail before the Court below.

Mr. Khan, learned A.P.P. has not seriously disputed to this proposition.

On 02.08.2019, these two applications were taken up firstly for consideration of anticipatory bail. On the said day, this Court (Coram: Manish Pitale, J.) granted interim protection in favour of the applicants in these applications on a condition that they shall attend Police Station once in a week i.e. on every Sunday in between 10:00 a.m. to 05:00 p.m. during the pendency of application and shall extend full cooperation to investigating officer.

It is uncontroverted statement of learned counsel for the applicants that pursuant to this order, the applicants have joined the investigation and attended the Police Station and extended the cooperation.

Since the investigation is over and final report is presented, the applicants will have to obtain the regular bail from the competent Court.

Since applicants are protected from 02.08.2019 and as on today there is no complaint on behalf of the prosecution that they have misused the liberty granted to them, I pass the following order.

ORDER

- (i) Both applications are disposed of as withdrawn.
- (ii) Interim protection granted in favour of each of the applicants in these two applications on 02.08.2019 shall remain in operation till 05.10.2019.

(iii) It will be open for applicants to file appropriate applications for bail in view of filing of the charge-sheet before the competent Court and the learned Judge shall decide the said application on its own merit.

(iv) the interim protection shall cease to operate automatically in the midnight of 05.10.2019.

JUDGE

kahale