

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

**CRIMINAL APPLICATION (BA) NO.1160 OF 2018**

(Sheikh Salman Sheikh Nawab Vs. State of Maharashtra thr. PSO PS Kamphthi,  
Nagpur)

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

*Court's or Judge's orders.*

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Shri M.N. Ali, Advocate for Applicant.  
Shri N.R. Rode, APP for Non-Applciant/State.

**CORAM: M.G. GIRATKAR, J.**

**DATE: 18<sup>th</sup> JANUARY, 2019.**

Heard Advocate Shri Mir Nagman Ali for the applicant.

Perused the FIR. Learned counsel has submitted that applicant has not taken any active part in the crime. One Chand has stabbed the deceased. Therefore, applicant is entitled for bail.

Learned APP Shri Rode has strongly objected the application. He has pointed out order passed by this Court on 23.10.2018. While passing the order, this Court has observed that present applicant caught hold the deceased and the accused Chand stabbed the deceased.

The FIR shows that the present applicant caught hold the deceased and accused Chand stabbed by knife (*gupti*). It is clear that accused/applicant had taken active part in the commission of crime. Hence, application is rejected.

The observations made by this Court will not come in the way of Trial Court while deciding this case on merit.

**JUDGE**

NSN