

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

CRIMINAL BAIL APPLICATION (BA) 452 OF 2020

(Sheikh Salman Abdul Rahim Sheikh..vs.. State, thr PSO, PS, Juni Kamptee, Dist. Nagpur)

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

Court's or Judge's orders.

Shri C.R. Thakur, counsel for applicant.
Shri J.Y. Ghurde, APP for non-applicant.

CORAM: ROHIT B. DEO, J.
DATE:11.09.2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard.

3. Vide order dated 3.9.2020, this Court recorded that prima facie, there is no cogent material in the charge sheet to connect the accused.

4. However, this Court also recorded the submission of Shri J.Y. Ghurde, the learned APP as follows:

“4. However, Shri J.Y. Ghurde, the learned APP makes a statement that the CCTV footage of hotel Novatel is seized and according to instructions, the applicants are seen along with deceased on the evening of the murder. Surprisingly, there is not even a seizure panchanama on record. The learned APP Shri Ghurde would submit that given some time he would seek appropriate

instructions from the Investigating Officer and if possible have a look at the CCTV footage”.

5. Today, Shri J.Y. Ghurde, the learned APP fairly states that perusal of the CCTV footage reveals that the two persons who accompanied the deceased did not include the present applicant.

6. The only material, if at all, against the present applicant is the motorcycle discovered. The case of the prosecution is that the accused used the said motorcycle to go to the spot where the dead body was lying and then the accused shifted the dead body.

7. In view of the nature of material on which the prosecution is relying, the applicant has made out a case for grant of bail.

8. The applicant be released from custody in Crime 238/2019, registered with Police Station Juni Kamptee, Dist. Nagpur, on furnishing P.R. Bond of ₹ 25,000/- with a surety of like amount. Considering the prevailing situation, the surety may be furnished within four weeks from the release.

9. The applicant shall attend every date of hearing scrupulously.

10. The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the investigation.

11. The applicant shall not leave the country without the permission of the jurisdictional Court.

Judge

Belkhede RS