

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

CRIMINAL APPLICATION (BA) 679 OF 2020

(Karim Syed Firoz Syed..vs.. State, thr PSO, PS Durgapur, Dist. Chandrapur)

*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, counsel for applicant.
Shri P.S. Tembhare, APP for non-applicant.

CORAM: ROHIT B. DEO, J.

DATE:18.09.2020.

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

2. The applicant is facing trial for offence punishable under sections 307, 143, 147, 148, 149, 324, 504, 506 of the Indian Penal Code read with section 4, 25 of the Arms Act.

3. The incident is the fall out of an altercation between the co-accused Mahesh, who is released on bail by this Court, and one Shahu. Unfortunately, in the altercation, the major sufferer was an employee of Shri Shahu named Bhagirathi.

4. The case of the prosecution is that the applicant struck a sword blow on Bhagirathi's head. This is also the version of Bhagirathi.

5. The investigation is complete and the chargesheet is filed. Shri M.N. Ali, the learned counsel

states that the applicant is earning his livelihood by running a garage. It is further stated that although he is implicated in a serious offence in 2014, he was then a juvenile.

6. While there does appear to be prima facie material to connect the applicant with the assault on Bhagirathi, considering that a single blow appears to have been struck by the applicant, the fact that he is engaged in livelihood by running a garage and is not likely to be a flight risk and he is relatively young, he can be released on bail.

7. The applicant shall be released 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 of the bail.

8. The applicant shall not involve himself in any criminal activity and breach of this condition shall entail cancellation of bail.

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 trial Court.

Judge