

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

CRIMINAL APPLICATION (BA) NO. 57 OF 2020

Ajaj Khan alias Ajju s/o Ayyub Khan .Vs. State of Maharashtra, through
PSO, PS, Nagpuri Gate, Amravati, Dist. Amravati

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

Court's or Judge's orders.

Mr. Akash Gupta, Advocate for applicants.
Mr. M.K. Pathan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : MAY 19,2020

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

Heard Mr. Gupta, learned counsel for the applicant and Mr. Pathan, learned Additional Public Prosecutor for non applicant-State.

The applicant is arrested on 13.03.2020 in connection with Crime No.66/2020 registered with Police Station, Nagpuri Gate, Amravati for an offence punishable under Sections 109, 143, 147, 148, 149, 307 read with Section 34 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act.

First Information Report (FIR) is registered on 03.03.2020 on the basis of the report lodged by Aarif Husain Munaf Husain. The name of the applicant is not figuring in the FIR. However, the name of the present applicant did figure in the statement of one Shaikh Rizwan Shaikh Raheman, who stated in his statement that the applicant had

assaulted with a stick on the hand of injured Arif. The learned Judge of the Court below in his order dated 24.04.2020 has observed that after perusal of the injury certificate of said injured, it shows the injury measuring 2 cm X 2 cm on his left hand and is of contusion in nature. The applicant is in jail since 13.03.2020 and in my view, his further custodial presence is not required. Hence, I pass the following order:

ORDER

- (i) The Criminal Application is allowed.
- (ii) Applicant - Ajaj Khan alias Ajju s/o Ayyub Khan be released on bail in connection with Crime No.66/2020 registered with Police Station, Nagpuri Gate, Amravati for an offence punishable under Sections 109, 143, 147, 148, 149, 307 read with Section 34 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act, on he executing PR bond in the sum of Rs.10,000/- with one solvent surety of the like amount.
- (iii) Applicant shall attend the Police Station, Nagpuri Gate, Amravati once in 15 days, until culmination of the trial.
- (iv) The order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

The application is disposed of

JUDGE