

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

LD-VC CRIMINAL APPLICATION (ABA) NO.1137/2020

Bilal s/o Mohammad Gourve and ors

..VS..

State of Mah., thr. PSO PS Ramdaspath, Akola

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

Court's or Judge's Order

.....

Shri Z.Z.Haq, Counsel for Applicants.

Shri V.P.Maldhure, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : AUGUST 21, 2020.

1. This is an application for pre-arrest bail since applicants are apprehending their arrest in connection with Crime No.87/2000 registered with Ramdaspath Police Station, Akola for offences punishable under Sections 143, 147, 148, 149, 307, 324, 504, and 506 of the Indian Penal Code.

2. Heard learned counsel Shri Z.Z.Haq for applicants and learned Additional Public Prosecutor Shri V.P.Maldhure for the State.

3. For incident dated 15.6.2020, two First Information Reports were registered with Ramdaspath Police Station, Akola. Crime No.86/2020 which is prior in time was lodged by Shamin Mohd. Gourve who is wife of present applicant No.3. The said was registered for offences punishable under Sections 143, 147, 148, 149, 307, 324,

504, and 506 of the Indian Penal Code. However, subsequent to death of Javed, Investigating Officer added offence punishable under Section 302 of the Indian Penal Code.

4. In Crime No.87/2020, in which present applicants are claiming anticipatory bail, there are two injured Shamin Bano who is complainant and one Firoz. Said Firoz is one of accused in Crime No.86/2020 and according to learned Additional Public Prosecutor Shri V.P.Maldhure for the State, Firoz is absconding.

5. The prosecution case is that, applicants along with other co-accused persons assaulted Shamin Bano and Firoz. Learned Additional Public Prosecutor on the basis of medical papers submits that Shamin Bano received simple injuries on her person.

6. Looking to fact that First Information Report lodged by wife of applicant No.3 was prior in time and injuries suffered by Shamin Bano are simple in nature and other injured Firoz who is accused in Crime No.86/2020 is absconding, I am of view that applicants have made out a case for grant of anticipatory bail in their favour. Hence, I pass following order:

ORDER

(1) The criminal application is allowed.

(2) In the event of arrest of applicants-Bilal s/o Mohammad

Gourve; Shaikh Adil s/o Shaikh Mohammad Gourve, and Shaikh Mohammad Shaikh Buddhu Gourve, in connection with Crime No.87/2000 registered with Ramdaspeth Police Station, Akola for offences punishable under Sections 143, 147, 148, 149, 307, 324, 504, and 506 of the Indian Penal Code, applicants be released on bail on they executing a P.R.Bond in the sum of Rs.10,000/- by each of them with one solvent surety of the like amount by each of them.

(3) Applicants are directed to attend the police station twice a week i.e. on Saturday and Sunday and shall be with Investigating Officer from 11:00 a.m. to 5:00 p.m., till chargesheet is filed.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

**Yogesh
Kahale**

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Yogesh Kahale
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2020.08.21
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