

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

LD-VC CRIMINAL APPLICATION (ABA) NO.1121/2020

Yasin Khan s/o Sattar Khan

..VS..

State of Mah., thr. PSO PS Kolhapuri Gate, Amravati

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

Court's or Judge's Order

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Shri T.U.Tahod, Counsel for the Applicant.
Mrs.Shamsi Haider, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : AUGUST 21, 2020.

1. This is an application for grant of pre-arrest bail since the applicant is apprehending his arrest in connection with Crime No.219/2020 registered with Kolhapuri Gate Police Station, Amravati for offences punishable under Sections 307, 324, 143, 147, 148, 149, and 504 of the Indian Penal Code.

2. Heard learned counsel Shri T.U.Tathod for the applicant and learned Additional Public Prosecutor Mrs.Shamsi Haider for the non-applicant/State. Also perused reply filed on behalf of the prosecuting agency.

3. At the outset, it will be useful to mention here that for incident in question dated 20.7.2020 two counter reports were filed, one by present applicant and another by one Abdul Rizwan Abdul Sattar. The report lodged by the present applicant is registered as Crime No.218/2020. In his

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report, Abdul Rizwan Abdul Sattar and Shaikh Imran who are injured in Crime No.219/2020 are accused.

4. Undisputedly, according to the prosecution, two groups assaulted each other on account of stacking construction material by brother of the complainant in Crime No.219/2020 at adjacent plot belonging to applicant's brother.

5. There is no dispute that the applicant also received stab injury on lower Rt. leg.

6. From the reply, it is clear that weapon sickle used by the applicant is already recovered at the instance of accused No.2 Raja Yasim Khan. According to the reply, custodial presence of the applicant is necessary for collecting his sample and clothes for sending to chemical analyzer. Except this, no other reason is put forth for his custodial presence.

7. Since there are counter reports and weapon allegedly used by the applicant is already seized by Investigating Officer, in my view, the applicant can be released on anticipatory bail with a direction that he shall attend police station so that blood samples can be obtained by Investigating Officer. That leads me to pass following order:

ORDER

(1) The criminal application is allowed.

(2) In the event of arrest of applicant-Yasin Khan s/o Sattar Khan, in connection with Crime No.219/2020 registered with Kolhapuri Gate Police Station, Amravati for offences punishable under Sections 307, 324, 143, 147, 148, 149, and 504 of the Indian Penal Code, the applicant be released on bail on he executing a P.R.Bond in the sum of Rs.10,000/- with one solvent surety of the like amount.

(3) The applicant is directed to attend the police station once in a week i.e. on every Sunday between 10:00 a.m. and 5:00 p.m., till filing of chargesheet.

(4) It shall be open for the Investigating Officer, when the applicant shall be attending the police station, to send him for his medical examination for obtaining his blood samples and also to seize his clothes.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

**Yogesh
Kahale**

Digitally
signed by
Yogesh Kahale
Date:
2020.08.21
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