

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

CRIMINAL APPLICATION (ABA) NO.990/2020
Mufti Mohammad Ashfaq s/o Abdul Qadar
..VS..
State of Mah., thr. 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 Firdos Mirza, Counsel for the Applicant.
Shri Neeraj Patil, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : AUGUST 25, 2020.

Criminal Application No./2020

1. This is an application to assist the prosecution.
2. For reasons stated therein, the application is allowed.
3. Learned counsel Shri N.S.Deshpande, is permitted to assist the prosecution.
4. The criminal application stands disposed of accordingly.

CRIMINAL APPLICATION (ABA) NO.990/2020

1. This is an application for anticipatory bail since the applicant is apprehending his arrest in connection with

.....2/-

Crime No.89/2020 registered with Ramdaspath Police Station, Akola for offences punishable under Sections 420, 406, 468, and 471 of the Indian Penal Code.

2. Heard learned counsel Shri Fridos Mirza for the applicant, learned counsel Shri N.S.Deshpande for the complainant, and learned Additional Public Prosecutor Shri Neeraj Patil for the State.

3. Even according to the prosecution, till May, the applicant was Mullah and was discharging religious functions in that capacity. Allegation against the applicant is that he has collected “Zakat” from community people and has mis-appropriated the said amount.

4. The state has filed reply. In paragraph No.4 of the said reply, it has been stated that investigation agency has already seized 20 receipt books from the applicant and also collected documents from The Akola District Central Cooperative Bank, Ratanlal Plot Square, Akola and has also recorded statement and collected relevant papers from concerned the bank officers in respect of amount deposited in the said bank.

5. The applicant was protected by this Court (Coram : Vinay Joshi, J.) on 31.7.2020 on a direction that the applicant shall attend concerned police station on every Monday. It is not submission of learned Additional Public Prosecutor for the State that the applicant has flouted the said condition. Entire documentary evidence is in possession of the investigating agency. In this view of the matter, custodial presence of the applicant is not at all

warranted. Consequently, I pass following order:

ORDER

(1) The criminal application is allowed.

(2) In the event of arrest of applicant-Mufti Mohammad Ashfaq s/o Abdul Qadar, in connection with Crime No.89/2020 registered with Ramdaspeth Police Station, Akola for offences punishable under Sections 420, 406, 468, and 471 of the Indian Penal Code, the applicant be released on bail on he executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(3) The applicant is directed to attend the police station once in 15 days for next 2 months.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

**Bhushan
Wankhede**

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by Bhushan
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