

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

CRIMINAL APPLICATION (ABA) NO. 382 OF 2021

Sayyad Shahajad Ali s/o Sayyad Sharif Ali

..vs..

State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri M.V. Rai, Advocate for applicant.

Shri A.M. Deshpande, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.

DATED : 21/08/2021

Heard.

2. It is the informant's case that on the date of occurrence, the applicant along with co-accused namely Sobu @ Sohel Shaikh interrupted him. The co-accused Sobu@ Sohel Shaikh abused the informant, assaulted him by means of knife and robbed for cash amount of Rs.9,500/-. It is alleged that the applicant was accompanying with co-accused and after the incident, the main accused ran away by riding on the two wheeler of the applicant. The entire First Information Report speaks about the active role of the co-accused. The only role assigned to the applicant is accompanying the co-accused and assisting him to run away.

3. It is informed that while the applicant was on interim protection, a knife has been seized at his

instance. Though the State resisted the application, however, no substantial ground has been made out to impress the need of custodial interrogation. Already pre-arrest protection is granted to the applicant and there is no complaint about misuse of liberty. In view of that, the applicant has made out a case for grant of pre-arrest protection, hence the following order :

- (a) The Application stands allowed and disposed of.
- (b) Ad-interim order dated 30.06.2021 is hereby made absolute on same terms and condition, with further direction to attend concerned Police Station on every Sunday in between 11.00 am to 2.00 pm, till filing of the charge-sheet.

JUDGE

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