

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

CRIMINAL APPLICATION (APPP) NO. 1012 OF 2021
IN
CRIMINAL APPLICATION (ABA) NO. 382 OF 2021

Sayyad Shahajad Ali S/o Sayyad Sharif Ali
...Versus...
State of Maharashtra through PSO, P.S.Kalamna, Nagpur,
Distt. Nagpur

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

Court's or Judge's orders

Shri Mahesh Rai, Advocate for the applicant
Ms K.R. Deshpande, APP for non-applicant/State

CORAM : N.B.SURYAWANSHI, J.
DATE : 30/06/2021

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. For the reasons stated in the application, the application is allowed. The applicant is permitted to file certified copy of the order dated 16/06/2021 by the learned Sessions Court within a period of two weeks from today.

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1. Heard.
2. Issue notice to the non-applicant, returnable on 13/07/2021.

3. The learned Additional Public Prosecutor waives service for non-applicant/State.

4. The applicant apprehends his arrest in Crime No. 0319 of 2021, registered with Kalamna Police Station, Nagpur (City) for the offence punishable under Section 394 of the Indian Penal Code.

5. It is alleged in the F.I.R. that on 03/05/2021 at about 7.30 p.m. the applicant along with Sobu @ Sohail Shaikh met the informant. Sobu assaulted the informant with knife and took away Rs.9500/- from the pocket of the informant. Thereafter, Sohail and the present applicant left the place on Activa vehicle.

6. It is submitted that the main accused Sohail was arrested and is released on regular bail. Taking into consideration the allegations in the F.I.R. as no overt act is attributed to the applicant, till the investigation papers are perused, the applicant is entitled for protection.

7. In the event of the arrest of the applicant in Crime No. 0319 of 2021, registered with Kalamna Police Station, Nagpur (City) for the offence punishable under Section 394 of the Indian Penal Code, the applicant be released on bail on his executing P.R. Bond in the sum of Rs. 15,000/- with

one surety in the like amount.

8. The applicant shall attend the concerned Police Station from 05/07/2021, to 09/07/2021 between 10.00 a.m. to 2.00 p.m. and shall cooperate in the investigation.

9. The applicant shall be deemed to be in the custody of the Investigating Officer for the purposes of Section 27 of the Indian Evidence Act.

10. The applicant shall not tamper with the prosecution evidence and or influence the prosecution witnesses.

JUDGE