

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

CRIMINAL APPLICATION (APPP) NO.1074/2021
IN CRIMINAL APPLICATION (BA) NO. 511/2021.

Sheikh Iftekar @ Bablu Sheikh Ahemad and another -**VERSUS**- State of Maharashtra.

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

Court's or Judge's Orders

Shri S. Joshi, Advocate for Applicants.
Shri A.M. Deshpande, APP for the Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : JULY 09, 2021.

Hearing was conducted through Video
Conferencing.

2. It is brought to the notice of this Court that while deciding Criminal Application No.511/2021, this Court used its discretion in favour of applicant no.1, by which he was released on bail vide order dated 05.07.2021. It is contended that though the matter was argued from the perspective of both applicants, however, in the entire order there is no reference regarding applicant no.2. It is further pointed out that applicant no.1 was the prime accused, while

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applicant no.2 was his driver.

3. While deciding bail application, after thoughtful consideration this Court was of the view that the prime accused/applicant no.1 is entitled for bail. Having regard to the nature of allegations leveled against applicant no.2 – driver, he is also entitled to be released on bail. In view of this, the order dated 05.07.2021 passed in Criminal Application No.511/2021 is modified to read as follows.

“(a) ...

(b) Applicant No.1/accused – Sheikh Iftekhar @ Bablu Sheikh Ahemad and Applicant No.2/accused – Sayyed Rizwan Sayyed Usman be released on bail in Crime No.06/2020 registered with Wani Police Station, District Yavamtal for the offence punishable under Section 379 of the Indian Penal Code on their furnishing P.R. Bond in the sum of Rs.1,00,000/- each, with one solvent surety in the like amount.

(c) Applicants shall attend the concerned

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Police Station on every alternate Monday in between 10.00 a.m. to 12.00 noon till framing of the charge before the trial Court.

(d) Applicants/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

(e) Applicants/accused shall provide their residential address and cell number to the concerned Investigating Officer.

(f) Breach of either of the condition, would give rise to the prosecution to move this Court for cancellation of bail.”

4. Order dated 05.07.2021 be corrected accordingly.

5. Criminal Application is accordingly disposed of.

Rgd.

JUDGE