

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

CRIMINAL APPLICATION (ABA) NO. 496/2021.

Mujahid Khan Farhad Khan.

-Versus-

State of Maharashtra, through P.S. Hiwarkhed, District Akola.

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

Court's or Judge's orders

Shri M.N. Ali, Advocate for the Applicant.

Shri S.D. Sirpurkar, A.P.P. for the Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : OCTOBER 11, 2021

Heard learned Counsel for the parties and
perused case diary.

2. It is the prosecution case that while the informant, a police constable, was on patrolling duty, he came across two groups, who were arguing and fighting indiscriminately. In his presence, they assaulted each other by means of iron pipe, hence the report.

3. The police have completed investigation and filed charge sheet against the co-accused. All the other co-accused are released on bail. Report no where assigns any specific role to the applicant. It reveals from the report itself that the iron pipe held by the applicant came

to be seized.

4. The learned A.P.P. has not pointed out any specific role of applicant besides general statement.

5. The applicant is already granted interim protection and there is no report of misusing of said liberty. Having regard to these facts, applicants liberty can be protected. Hence, the following order.

- (i) Criminal Application is allowed and disposed of.
- (ii) The ad-interim order dated 09.08.2021 passed by this Court is hereby made absolute on the same terms and conditions.
- (iii) Henceforth the applicant shall attend the police station as and when called by the police station officer.
- (iv) The applicant/accused shall not enter into the territorial limits of village Hiwarkhed, till examination of the material witnesses in the trial.
- (v) Pending Misc. Criminal Applications also stands disposed of.

JUDGE

Rgd.