



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

CRIMINAL APPLICATION (ABA) NO.588 OF 2023

Naved Ali Javed Ali

Vs.

State of Maharashtra, Through Police Station Officer, Police Station, Umarkhed,
District Yavatmal

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

Court's or Judge's orders

Mr. V. R. Thote, Advocate for applicant.
Ms. Snehe Dhote, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/12/2023

1. By this application, the applicant is seeking pre-arrest bail in connection with Crime No.368/2023 registered with Police Station, Umarkhed, District Yavatmal for the offence punishable under Sections 143, 147, 148, 307, 324, 233, 394 read with 149 of the Indian Penal Code.

2. Learned Counsel for the applicant submitted that applicant is apprehending arrest as police are behind him for arresting him as Crime No.368/2023 is registered. It is the case of mismatching of the name of the present applicant with somebody. In fact, the present applicant is not at all involved in the alleged crime. The person involved in the alleged crime is Sk. Navid Shaha but not Naved Ali Javed Ali. But the Investigating Officer is attempting to arrest the present applicant. The name of the present applicant is also not

mentioned in the FIR. In view of that, applicant be protected by granting anticipatory bail.

3. Said application is strongly opposed by the State on the ground that the involvement of the present applicant is revealed and his custodial interrogation is required and prays for rejection of the application.

4. After hearing both the sides and on perusal of the FIR it reveals that the name of one Sk Navid Shaha is mentioned in the FIR and not the name of the present applicant namely Naved Alli Javed Ali. The present applicant has filed on record the documents to show that his name is not Navid Shaha but he is Naved Ali Javed Ali. Admittedly, his name is not mentioned in the FIR. No role is attributed to him. In view of that, he can be protected by granting anticipatory bail. Accordingly, I proceed to pass following order.

ORDER

(i) The application is allowed.

(ii) The applicant is released on anticipatory bail in the event of his arrest in connection with Crime No.368/2023 registered with Police Station, Umarkhed, District Yavatmal for the offence punishable under Sections 143, 147, 148, 307, 324, 323, 294 read with 149 of the Indian Penal Code, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(3)

28.aba.588.2023

(iii) The applicant shall furnish his cell phone number and address with address proof.

(URMILA JOSHI-PHALKE, J.)