



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

CRIMINAL APPLICATION (BA) NO. 496 OF 2024

Shoaib Ahemad s/o Shaikh Hasan Vs State of Maharashtra

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

Court's or Judge's Order

Mr. S.P.Bhandarkar, counsel with Mr. Atharva Khadse, counsel for applicant.
Mr. S.V. Narale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 04/12/2024.

1. The application for grant of bail.
2. After hearing the learned counsel for the applicant to some extent and perusing the investigation papers, I have shown my disinclination to grant bail by considering the decision of the Constitution Bench of the Hon'ble Apex Court in the case of *Vijaysinh Chandubha Jadeja vs State Of Gujarat [(2010) 13 (Addl) SCR 255]*. It is observed that the question whether or not the procedure prescribed has been followed and the requirement of Section 50 had been made out, is a matter of trial. It would neither be possible nor feasible to lay down any absolute formula in that behalf.
3. However, learned counsel for the applicant submitted that he would make appropriate statement and requested for time to make a statement.
4. Stand over on 05/12/2024.

[URMILA JOSHI-PHALKE, J.]