



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

CRIMINAL APPLICATION (ABA) NO.109 OF 2025
(Kalandar Shah Ismail Shah and ors. 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. Z.Z. Haq, Advocate for the applicants.
Mr. N.B. Jawade, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 7, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.95/2024 registered with Police Station Murtizapur (Rural), District Akola for the offences punishable under Sections 302, 306, 201 read with Section 34 of the IPC, the applicants approached this Court for grant of pre-arrest bail.

2. The allegation against the present applicants is that the father of the complainant namely Syed Salim Syed Mustaq left the house on 16/02/2024 on the count of bringing cloths and did not return back. Thereafter he was found in a burnt condition and accidental death was registered. After one year of the incident, the involvement of the present applicants was shown as an assailant. On the basis of the said investigation, the applicants are arraigned as an accused.

3. While protecting the present applicants by granting ad-interim anticipatory bail, this Court has

observed that the involvement of the applicants can be seen from the FIR, surfaced after one year. Considering the applicants are about 60 years of age and there is no direct material collected during the investigation to show their involvement in the present crime. Considering all these aspects, the interim protection granted to the applicants deserves to be confirmed.

4. Hence, the application is allowed.

5. The interim protection granted vide order dated 21/02/2025 is hereby confirmed on the condition that applicant Nos. 2 to 3 shall attend the concerned police station once in a week i.e. on Monday between 10.00 AM and 1.00 PM till filing of the charge-sheet.

6. The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, either personally or by way of electronic media.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)