

Mohammad Shahzad @ Atik Ansari Mohammad ... vs The State Of Mah. Thr. Ps Wadi Nagpur on 17 May, 2024

1 ABA-338-2024

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

CRIMINAL APPLICATION (ABA) NO.338 OF 2024

[Mohammad Shahzad @ Atik Ansari Mohammad Saeed and Anr. ..V/s..
The State of Maharashtra]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's order
and Registrar's orders.

Mr S. S. Ullah, Advocate for Applicants.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 17th MAY, 2024.

. Heard.

2. Ms S. V. Kolhe, learned APP, waives notice on behalf of non- applicant/State.

3. The applicants are apprehending for arrest in Crime No.140 of 2024, registered with Wadi Police Station, District Nagpur, for the offences punishable under Sections 380, 457, 406, 120-B and 188 read with Section 34 of the Indian Penal Code, 1860 and under Section 60 of the Food Safety and Standards Act, 2006.

4. The raid was conducted and 690 betel nuts sacks were seized. The allegations are made that the theft of 506 sacks of betel nuts was committed. The learned counsel for applicants has stated that in First Information Report (FIR), the names of these applicants are not mentioned. However, in confessional statement, the co-accused have mentioned the names of these applicants, as they have taken the said sacks of betel nuts and transported it for sale.

5. The learned Additional Public Prosecutor opposed the application submitting that the CCTV Footage shows that there is TAMBE 1 ABA-338-2024 active participation of the present applicants in said act and prayed to reject this application.

6. Heard learned counsel for applicants as well as learned APP for non-applicant/State and perused the record.

7. The role played by these applicants is that transferring the sacks in one Tata Sumo and name is mentioned by co-accused considering the role played by these applicants, the case is made out to

protect the applicants by granting ad-interim anticipatory bail on the following conditions.

8. In the event of arrest of the applicants in connection with Crime No.140 of 2024, registered with Wadi Police Station, District Nagpur, for the offences punishable under Sections 380, 457, 406, 120-B and 188 read with Section 34 of the IPC and under Section 60 of the Food Safety and Standards Act, 2006, the applicants be released on bail on their furnishing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

9. The applicants shall attend the concerned Police Station on every Saturday between 01:00 p.m. to 02:00 p.m. and they shall co-operate in the investigation.

10. The applicants shall not tamper with the prosecution evidence and or influence the prosecution witnesses.

11. Stand over after summer vacation.

(VRUSHALI V. JOSHI, J.) Signed by: Mr. Ashish Tambe TAMBE Designation: PA To Honourable Judge Date: 17/05/2024 17:20:02