

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5156 OF 2005

IN

CRI.APPEAL NO.737 OF 2005

IN

SESSIONS CASE NO.1471 OF 1998 @ 1153 OF 1999

Arfoz Mohd.Shafi Shaikh ..Applicant

Vs.

State of Maharashtra ..Respondent

...

Mr.Khan Abdul Wahab Advocate for Applicant

Mr.Y.S.Shinde A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : SEPT. 30,2005

P.C.

1. Heard both sides.

2. The applicant has prayed for bail. The applicant has been mainly convicted under Section 394 of IPC.

3. The learned advocate for the applicant has pointed out that the applicant was on bail pending trial and he has not misused the liberty granted to

him. This statement is not controverted by the prosecution.

4. In the present case, it is an admitted fact that no witness has identified the applicant in the Court as having taken part in the incident. In this view of the matter, I am inclined to grant bail to the applicant.

5. The applicant-Afroz Mohd.Shafi Shaikh to be released on bail in the sum of Rs.30,000/- with one or two sureties to make up that amount. The applicant shall report to N.M.Joshi Marg Police Station on 1st and 3rd Sundays of every month during the pendency of the appeal.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]