

CNR No. MHNS010005892022

Order below Exh.1 in Cri. Bail Application No.205/2022.
(Ajiz Hawaldar Sayyad Vs. State)

The present anticipatory bail application is moved by the applicant-accused Ajiz Hawaldar Sayyad under section 438 of Cr.P.C. in connection with CR No.24/2022 registered with Wavi Police Station, Dist. Nashik for the offence U/s. 353, 342, 504,506 of the Indian Penal Code.

2. It is stated in the application that applicant-accused is in actual possession of the land Block No.216 of village Shaha, however, Talathi of village Shaha has entered the name of applicant-accused's cousin to the said land. Therefore, he had been to Shaha Talathi Office for inquiry on 7.2.2022 at about 2.00 p.m. there was manhandled by the Talathi. It is also stated that the custodial interrogation of the applicant-accused is not at all necessary as nothing is to be seized from him. He further alleged that applicant-accused is agriculturist and innocent and ready to abide all conditions laid down by this court, these and other grounds set out in the application, has prayed to allow anticipatory bail application.

4. The application is opposed by State. I.O. is present and submitted his report on record.

5. Heard, both the parties.

6. Record shows that the offence is triable by this court, however the fact that applicant-accused is not required for custodial interrogation as nothing is to be seized from the applicant-accused. There is apprehension of the I.O. that if the applicant-accused

released on anticipatory bail, he will tamper the prosecution witnesses and commit such type of offence and therefore, I am inclined to grant anticipatory bail. Hence, following order is passed.

ORDER

- 1) Anticipatory bail application No.205/2022 is hereby allowed.
- 2) Interim anticipatory bail granted by this court to applicant-accused Ajiz Hawaldar Sayyad by order dated 14.2.2022 is hereby made absolute on same terms and conditions.
- 3) Applicant-accused shall co-operate with the I.O. as and when required.
- 4) Inform concerned Police station.

Date- 25.02.2022

(M.A. Shinde)
Additional Sessions Judge-8,
Nashik.