

FARAD CONTINUATION SHEET NO.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1368 OF 2015

[Bhivraj Amruta Jagtap and anr. Vs The State of Maharashtra]

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

Court's or Judge's orders

Shri S.N.Patne, advocate for applicants
Smt. V.A.Shinde, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 27th March, 2015

PER COURT :-

- 1] This is an application for regular bail moved by the applicants who are accused nos. 1 and accused no.5.
- 2] I have heard Shri S.N.Patne, learned counsel for the applicants and Smt. V.A.Shinde, learned learned Additional Public Prosecutor for respondent/State.
- 3] The offence is registered in view of first information report lodged by one Shivaji Gore. Dispute was going on in respect of measurement of the land. It appears, in that melee attack was made. The deceased is one Vinayak Jagtap. From the first information report itself it is clear that the deceased was attacked by the present applicants by stick and he was attacked by one co-accused Angad by axe. From the applicant the stick is recovered. The cause of death is head injury. The said can be attributed to axe also in view of the fact that the axe which was recovered at the instance of co-accused Angad was blood stained. The attack was made by complainant party as well as the accused party. The weapon ascribed to the present applicant is stick. Further, the investigation is already over and the charge

sheet is filed. No purpose will be served by keeping the applicants in jail. Since, in the near future there is no possibility of trial being commenced. Hence, I pass following order.

O R D E R

- (i) Criminal Application is allowed.
- (ii) Applicants, in connection with Crime No.83 of 2014, registered at Killari Police Station, District Latur, for the offences punishable under Sections 302, 326, 143, 147, 148, 149, 504 of the Indian Penal Code, be released on bail on he executing P.R. Bond of Rs.5,000/- with one solvent surety in the like amount.
- (iii) Applicants shall not tamper with the evidence or shall not pressurise the prosecution witnesses.
- (iv) Applicants shall attend Killari police station once in a fortnight till the charge is framed.
- (v) Criminal Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap1368.15