

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 1941 OF 2015
[Akbar Chandbhai Pathan 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 R.L.Kute, advocate for applicant
Smt. S.G.Chincholkar, A.P.P. for respondent

.....

CORAM : V.M.DESHPANDE, J.
DATED : 29th April, 2015

PER COURT :-

- 1] This is an application for bail.
- 2] Learned counsel Shri R.L.Kute tendered copy of the charge sheet which is filed on 7.3.2015 before the court of law. Charge sheet is taken on record.
- 3] The applicant is accused no.2. The first information report is lodged by Chandrakant the brother of deceased Somnath. The first information report shows that wife of Chandrakant was having illicit relations with accused no.1 Sameer Chandbhai Pathan which was objected by the first informant. The first information report further reveals that on 10.12.2014 he called his brother Somnath and they were proceeding on road. That time, in front of a saloon, present applicant and his brother accused no.1 Sameer Chandbhai Pathan were standing. That time, deceased Somnath asked accused no.1 Sameer as to why he is keeping bad eye on his sister-in-law. That time, present applicant caught hold Somnath, and Sameer accused no.1 dealt knife blow on the chest of Somnath resulting into his death.

4] The statement of eye witnesses also reflect only role of the applicant that he has caught hold the deceased. Charge sheet is filed. Looking to the nature of the allegations against the present applicant that he has caught hold the deceased, his custodial presence in view of filing of the charge sheet is not required. Hence I pass following order.

ORDER

- (i) Application is allowed.
- (ii) Applicant-Akbar Chandbhai Pathan, be released on bail, in connection with Crime No.156 of 2014, registered at Sangamner Police Station, District Ahmednagar, for the offences punishable under Sections 302, 109, 323, 504, 506 r/w 34 of the Indian Penal Code, on he executing P.R. bond of Rs. 25,000/- with two solvent sureties in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant shall attend Sangamner police station twice a week, preferably on every Sunday and Tuesday in between 10.00 a.m. to 12.00 noon till the charge is framed.
- (iv) Criminal Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap1941.15