

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 2077 OF 2015
[Kashiram Walji Naik 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.S.Shinde, advocate h/f
Shri A.G.Magare, advocate for applicant
Shri A.S.Shinde, A.P.P. for respondent

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

PER COURT :-

1] This is an application for bail, since the applicant is arrested in connection with Crime No.18 of 2015, registered with Taloda Police Station, District Nandurbar, for the offences punishable under Sections 304, 504 of the Indian Penal Code.

2] I have heard Shri R.S.Shinde, advocate holding for Shri A.G.Magare, learned counsel for applicant and Shri A.S.Shinde, learned Additional Public Prosecutor for the respondent/State.

3] The first information report is lodged on 25.3.2015 by Durgabai Ramesh Valvi wife of the deceased. The date of occurrence is 25.3.2015. The first information report shows that on 24.3.2015 some dispute going on in between present applicant and the deceased and that time the present applicant has given a forcible push to deceased resulting deceased falling on the stone resulting into injury on his head due to which he died.

4] Looking to the nature of allegations, it is clear that at

least prima facie, one could reach to the conclusion that it was never the intention on the part of the present applicant to see that the deceased should suffer such a bodily injury resulting into his death. In that view of the matter, the applicant who is in jail since last one month needs to be released on bail. Hence, I pass following order.

ORDER

- (i) Application is allowed.
- (ii) Applicant-Kashiram Walji Naik be released on bail, in connection with Crime No.18 of 2015, registered with Taloda Police Station, District Nandurbar, for the offences punishable under Sections 304, 504 of the Indian Penal Code, on he executing P.R. bond of Rs. 5,000/- with one solvent surety in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant shall attend Taloda police station, District Nandurbar once a fortnight preferably on Sunday in between 4.00 p.m. to 5.00 p.m. till the charge sheet is filed.
- (v) Criminal Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap2077.15