

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.166/2015

(Mahendra Bhimrao Borkar..vs..State of Maharashtra, thr.PSO Dhantoli Station, Nagpur)

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

Court's or Judge's orders.

Mr. R.K. Tiwari, Advocate for applicant.
Mrs. Joshi, A.P.P. for non applicant.

CORAM : A.B. CHAUDHARI, J.
DATE : JUNE 24, 2015.

Heard. Perused the record. Insofar as the present applicant-Mahendra Bhimrao Borkar is concerned, the only evidence against him is evidence of father of the deceased-Krushnaji who lodged the FIR. The FIR shows that Krushnaji did not know anything except that the dead body of deceased Sachin was reported to have been found near nullah. However, in the test identification parade, this applicant has been identified by him. But that evidence is of no use since no role is attributed to applicant-Mahendra.

I have perused the statement of other witnesses. They did not at all involve the applicant but involve other accused persons who have assaulted the deceased.

That being so, I make the following order.

ORDER

- (i) Criminal Application No.166/2015 is allowed.
- (ii) Applicant Mahendra s/o Bhimrao Borkar is directed to be released on bail on his furnishing PR Bond in the sum of Rs.10,000/- with one surety in the like amount.
- (iii) The applicant shall attend Police Station, Dhantoli, Nagpur as and when directed by the Investigating Officer and shall cooperate with the Investigating Officer.
- (iv) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses.

JUDGE