

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 256 of 2015
[Devindra Sukhdeo Raut Vs. State of Mah.]

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

Court's or Judge's orders

Mr. R.V. Khaparde, Adv., for the Applicant.
Mr. Anil Laddhad, APP for respondent.

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CORAM : A.B. CHAUDHARI, J.

DATE : 10th July, 2015.

Heard learned counsel for the rival parties.
Perused the statements of Pranita and Sagar Dhande.

Learned APP for the State submits that recovery of articles was also made from Pranita, to whom the articles were given by the applicant. Not only that, the applicant and other accused persons were identified by Sagar Dhande, Police Constable, who, at the relevant time, found the persons with blood stains on their persons.

There is extra judicial statement made to Pranita

by the present applicant. The case involves a very very serious offence of murder with dacoity of a moneylender and the accused persons were immediately seen when the police personnel were on a patrolling duty.

Learned counsel for the applicant submits that the benefit of parity should be extended to the present applicant also in the light of the order dated 19th December, 2014. I do not agree. The benefit of parity cannot be extended to the applicant, as the evidence of extra judicial confession made to Pranita in respect of the present applicant is specific and said evidence being a legal aid, it would be highly risky to release the applicant on bail; lest he would tamper with the prosecution evidence. It is not at all advisable to release the applicant on bail in the light of cruel and brutal murder committed by him for committing the crime of dacoity. In the result, I make the following order:-

ORDER

Criminal Application No. 256 of 2015 is rejected.

Judge