

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 245 OF 2015.

(SMT. NANDABAI @ BEBINANDA PREMANAND DHAWALE..VS..THE STATE OF MAH. THR.PSO
 GHUGGUS, DIST. CHANDRAPUR.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : JULY 13, 2015.

Heard Mr. Abhay Sambre, the learned advocate for the applicant and Mr. D.M. Kale, the learned A.P.P. for the non-applicant/ State.

This is an application praying for pre-arrest bail in Crime No.88 of 2015 for the offence punishable under Section 305 of the Indian Penal Code, registered by the non-applicant.

This Court by the order dated 26th May, 2015 has already granted interim order in favour of the applicant. It is not the case of the non-applicant that the applicant has misused the liberty.

The learned Additional Public Prosecutor has submitted that the family of the victim and the applicant are neighbours. If she is granted pre-arrest bail, there is a chance that the applicant may threaten the witnesses.

Mr.Sambre, the learned advocate for the applicant has submitted that the applicant has shifted to Balaji Ward, Chandrapur and the apprehension as expressed on behalf of the prosecution is unfounded.

Considering the facts of the case, specially that there is no criminal antecedents recorded against the applicant and that she is already protected under the order passed by this Court on 26th May, 2015 and there is no complaint that she has misused the liberty, the following order is passed :

In the event of arrest of the applicant in connection with Crime No.88 of 2015, registered with the Police Station, Ghuggus, District : Chandrapur, she be released on bail on furnishing solvent surety in the sum of Rs.Twenty Thousand.

The applicant shall cooperate with the investigation. The applicant shall attend Police Station, Ghuggus on every Monday between 11.00 a.m. To 01.00 p.m. and abide by the directions of the Investigating Officer, till filing of the chargesheet. The applicant shall not leave Chandrapur District without informing the Investigating Officer. The applicant shall not influence the prosecution witnesses.

The application is allowed in the above terms.

JUDGE