

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

CRIMINAL APPLICATION (APPLN) NO.42 OF 2015

(Virendrasingh Chouhan s/o Bhagwansingh Chouhan Vs. The State of Maharashtra & another)

AND

CRIMINAL APPLICATION (APPLN) NO.57 OF 2015

(The State of Maharashtra Vs. Yogesh Babaraoji Gharad))

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

Court's or Judge's orders

Shri G.G. Bade, Advocate for the applicant.
Shri S.S. Doifode, A.P.P. for the State.

Shri S. S. Doifode, A.P.P. for the applicant-State.
Shri S. V. Sirpurkar, Advocate for the respondent.

CORAM : A. B. CHAUDHARI, J.
: 23 NOVEMBER, 2015

Heard learned Counsel for the parties to these two applications. Perused the impugned order passed by the Additional Sessions Judge, Amravati granting bail.

It is seen in para 6 of the order that the trial Court granted bail *in tandem* with the reasons for granting bail by this Court. The only allegation against respondent No.2 is that the dead body of the person was burnt in the field of respondent No.2 and that he had directed collection of ashes from the field.

It is not the prosecution case against respondent No.2 that he had committed any overact in the offence of murder. Till date no DNA test report has been received about the ashes being found of the dead body of deceased Nilesh. Therefore, there is no reason for holding that the impugned order is illegal. That being so, both the applications are liable to be rejected.

Criminal Application Nos. 42/2015 & 57/2015 are rejected.

JUDGE