

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

Criminal Application [BA] No.536 of 2015

(Ashish Sunderlal Bethekar and another
vs.

The State of Maharashtra, through PSO Chikhaldara, District Amravati)

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

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Court's or Judge's Orders

Mr. Vinay Dahat, Advocate for the Applicants.
Mr. A.D. Sonak, A.P.P. for the Non-Applciant/State.

CORAM : V.M. DESHPANDE, J.

DATE : AUGUST 24, 2015.

Heard Mr. Dahat, learned Counsel for the applicants
and Mr. Sonak, learned Additional Public Prosecutor for the
State.

The applicants are arrested in connection with Crime
No.28/2015, registered with Police Station Chikhaldara, District
Amravati for the offence punishable under Sections 307, 324,
143, 147, 148, 427, 504 read with Section 149 of the Indian
Penal Code and under Section 135 of the Bombay Police Act.

The investigation is over. The charge-sheet is already
filed. The F.I.R. is lodged by Mukesh Bachle, who is one of the
injured along with other injured viz. Jitendra and Pankaj.
According to the F.I.R., the incident has occurred on the day of
Holy. It appears that it has occurred on trifle issue. The injured
were not admitted in the hospital.

Looking to the day of the incident i.e. 05/03/2015, there is no chance of the offence being converted into more serious offence. The applicants are arrested on 06/03/2015 and since then they are behind the bars.

Looking to the facts that the investigation is already over and the entire incriminating material is already collected and submitted before the trial Court, further liberty of the applicants cannot be curtailed. The apprehension of the State can be taken care of by imposing certain conditions upon the applicants while releasing them on bail. Hence, the following order :

- ➔ The application is allowed.
- ➔ The applicants be released on bail on their executing P.R. Bond in the sum of Rs.20,000/- each with one solvent surety in the like amount before the trial Court in connection with Crime No.28/2015.
- ➔ The applicants shall attend Police Station Chikhaldara, District Amravati once in a fortnight till the charge is framed by the trial Court preferably on Wednesday between 03:00 p.m. to 05:00 p.m.
- ➔ The application is disposed of as such.

JUDGE

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