

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

CRIMINAL APPLICATION (BA) NO.569/2015

(Pradeep s/o Dadarao Kitkule ..vs.. State of Maharashtra, through PSO
Chandur Bazar, Tq. Chandur Bazar, Dist. Amravati)

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

Court's or Judge's orders.

Mr. S. G. Nigot, Advocate for applicant.
Mr. V. A. Thakare, A.P.P. for non applicant-
State

CORAM : V. M. DESHPANDE, J.

DATE : SEPTEMBER 10, 2015.

Heard learned counsel for the
applicant and learned A.P.P. for non applicant-
State.

By the present application, the
applicant, who was arrested in Crime
No.144/2015 for an offence punishable under
Section 324 and 328 of the IPC registered with
Police Station, Chandur Bazar, Dist. Amravati is
claiming his release on bail.

Crime is registered on the basis of
the report lodged by one Gajanan Kitkule. As
per the prosecution case, on 23.05.2015, the
present applicant gave a beating to Sudhir near
Shrikrushna Temple. He fell down. Thereafter,
it is the allegation that the present applicant
tried to administer poison to him. That time, the
first informant tried to intervene and at that

particular point of time, he again gave a blow of broken bottle to Gajanan.

Though, the charge-sheet is not filed, from the investigation papers and from the statement of the learned A.P.P. for the State it is clear that the investigation is almost over and only formality of filing of the charge-sheet remained to be done.

Looking to the nature of injury and looking to the fact that the investigation is over and only formality of filing of charge-sheet is remained to be completed, in my view, further custodial presence of the present applicant is not warranted. That leads me to pass the following order.

ORDER

(i) Criminal Application No.569/2015 is allowed.

(ii) The applicant-Pradeep s/o Dadarao Kitkule, be released on bail in connection with Crime No.144/2015 registered with Police Station Chandur Bazar, Dist. Amravati for an offence punishable under Sections 324 and 328 of the I.P.C., on he executing P.R. Bond in the sum of Rs.10,000/- with one surety in the like amount.

(iii) The applicant shall attend Police Station Chandur Bazar, once in fortnight on Saturday till the charge-sheet is filed. The applicant shall be with the Investigating between 3.00 p.m. to 5.00 p.m.

The applicant shall not tamper with the prosecution case and shall not pressurize the witnesses.

JUDGE

kahale