

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

CRIMINAL APPLICATION (BA) NO.14 OF 2016

(Sagar s/o Wasudeo Pande ..vs.. The State of Maharashtra, through PSO, PS Gadchiroli, District
Gadchiroli)

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 : 09-02-2016

Heard Shri R.M. Daga, learned Advocate for the applicant and Shri T.A. Mirza, learned Addl.P.P. for the non-applicant.

2. The contention of the applicant is that the dying declaration of the deceased recorded by the Executive Magistrate on 30-04-2015 does not show the name of the applicant. The non-applicant has not controverted this assertion.

3. Considering the fact that the applicant is a student, aged about 20 years and studying in Government Polytechnic, Gadchiroli and the fact that mother of the applicant is in custody and there is nobody to look after the sister of the applicant, as stated by the applicant on oath and the applicant is not involved in any criminal offence, earlier, in my view, the applicant is entitled to be released on bail.

4. Hence, the following order :
- i) The applicant shall be released on bail having been arrested in Crime No.62/2015 registered with the Gadchiroli Police Station for the offences punishable under Sections 307, 504 and 302 read with Section 34 of the Indian Penal Code, on furnishing P.R. Bond of Rs.10,000/- and one solvent surety in the like amount.
 - ii) The applicant shall regularly attend the dates of sessions trial unless exemption is granted by the Sessions Court.
 - iii) The application is allowed accordingly.

Criminal Application (APPP) No.32 of 2016.

In view of disposal of the bail application, the application praying for grant of time to file certified copy of charge-sheet and say of the prosecution has become infructuous. It is disposed accordingly.

JUDGE