

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

CRIMINAL APPLICATION (BA) NO.26/2016

Dadarao S/o Nimbaji Gajabhiye

..Versus..

State of Maharashtra, through Police Station Officer, Police Station, Armori, Distt.
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.

DATE : 10.3.2016

Heard Shri A. S. Bhendarkar, advocate for the applicant and
Shri K.R. Lule, A.P.P. for the non-applicant.

The applicant is arrested on 29th July, 2015 in crime registered
against him for the offence punishable under Section 302 read with
Section 34 of the Indian Penal Code.

Accusations against the applicant are that he had gone with the
deceased to Navegaon Bandh for consuming liquor and while
returning back there was some dispute regarding mobile phone and
co-accused assaulted the deceased with iron rod which proved to be
fatal.

Considering the nature of incident, nature of allegations against

the applicant, the fact that charge-sheet is filed and as the non-applicant has not been able to show that the custody of applicant is required for further investigation, in my view, the applicant is required to be released on bail.

Hence, the following order:

- (i) The applicant having been arrested in Crime No.41/2015 registered by the non-applicant, he be released on bail on furnishing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand Only) and one solvent surety in the like amount.
- (ii) The applicant shall attend every date of sessions trial before the Sessions Court unless granted exemption by the Sessions Court. If the applicant fails to attend any date of sessions trial without seeking exemption from the Sessions Court, this order shall stand recalled.
- (iii) The application is **allowed** in the above terms.

CRIMINAL APPLICATION (APPP) NO.51/2016.

In view of disposal of main application, this application does not survive and is disposed of accordingly.

JUDGE