

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

CRIMINAL APPLICATION (BA) NO.35/2016

Ganesh S/o Suklal Sharnagat

..Versus..

The State of Maharashtra, through Police Station Officer Sihora, Distt. Bhandara

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 : 11.2.2016

Heard Shri R. V. Khaparde, advocate for the applicant and Shri S.S. Doifode, A.P.P. for the non-applicant.

The applicant has been arrested on the charge that Ashok, Raju, Sonu, Avinash, Vaibhav, Sani and the applicant are involved in the crime in which deceased Prakash died. It is undisputed that the accused no.3 - Ashok has been discharged in the investigation itself. The allegation against the applicant is that he was sitting in the car when the other accused assaulted deceased Prakash and Ravindra Patle.

The applicant is presently temporarily employed with Kalpewada Power Station, Tumsar, Distt. Bhandara. The non-applicant has not disputed the claim of the applicant that the applicant was not involved in any other crime, earlier. The applicant is living with his parents at village Chulad, Tah. Tumsar, Distt. Bhandara. The charge-sheet is filed. The non-applicant has not been able to show

that the custody of applicant is required for investigation.

In the facts of the case, in my view, the applicant is entitled for bail.

Hence, the following order:

(i) The applicant having been arrested in connection with Crime No.24/2015 registered by the non-applicant be released on bail on furnishing P.R. bond for Rs.20,000/- and two solvent sureties in the like amount. Out of the two solvent sureties, one solvent surety shall be of resident of Chulad or Tumsar town.

(ii) The applicant shall attend the Sessions Court on every date of the sessions trial unless he is granted exemption by the Sessions Court.

In default on the part of the applicant to attend any date before the Sessions Court without seeking exemption from the Sessions Court, this order shall stand recalled.

(iii) The application is **allowed** in the above terms.

In the circumstances, the parties to bear their own costs.

JUDGE