

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

CRIMINAL APPLICATION (BA) NO.58 OF 2016

(Prabhu Hemraj Ballare ..vs.. The State of Maharashtra, through PSO, PS Parsheoni, District Nagpur)

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 : 07-04-2016

Heard Shri Mir Nagman Ali, Advocate for the applicant and Shri S.M. Bhagde, Additional Public Prosecutor for the non-applicant/State.

2. The applicant is arrested on 02-08-2015 in crime registered against five persons (including the applicant) for offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code.

3. The applicant is made accused on the basis of circumstantial evidence. The learned Advocate for the applicant has submitted that the name of the applicant does not find place in the first information report.

4. The charge-sheet is filed on 29-10-2015. The non-applicant has not been able to show that custody of the applicant is required for further investigation.

Considering the facts on record, I am of the view that the applicant is entitled to be released on bail.

5. Hence, the following order :
- i) The applicant having been arrested in Crime No.70/2015 registered by the non-applicant, he be released on bail on furnishing P.R. Bond for Rs.20,000/- and two solvent sureties in the like amount.
 - ii) The learned Advocate for the applicant submits that the proceedings are still before the learned Judicial Magistrate First Class, Parsheoni and the matter has not yet been committed.
The applicant shall regularly attend the matter before the learned Magistrate on every date and after committal, the applicant shall regularly attend the sessions trial on every date unless granted exemption by the Sessions Court.
 - iii) The application is allowed in the above terms.

JUDGE