

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

CRIMINAL APPLICATION (BA) NO.208 OF 2016

(Shivkumar s/o Shamrao Patil ..vs.. The State of Maharashtra, through PSO, PS Tiroda, District
Gondia)

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 : 04-04-2016

Heard Shri D.B. Borkar, Advocate for the applicant and Shri N.S. Khubalkar, Additional Public Prosecutor for the non-applicant/State.

2. The applicant is arrested on 28-01-2016 in crime registered against him and co-accused for offences punishable under Sections 332, 353, 363, 394, 427, 504 and 506 read with Section 34 of the Indian Penal Code.

3. The accusations are that in the night between 27-01-2016 and 28-01-2016 at about 3.30 a.m. the complainant-Talathi seized two Tractors for illegally transporting sand. According to the prosecution, the Talathi (complainant) had imposed fine of Rs.25,000/- at the time of seizure of the Tractors. According to the prosecution, in the morning on 28-01-2016 when the complainant was sitting in the Talathi Office of village Garada, not the place of work of the complainant, he received the phone call, the caller had enquired about his

whereabouts and three persons (including the applicant) came there at 11-00 a.m., abused the complainant, forcibly made him to sit on motorcycle, took him to his house, abused him, assaulted him and took the amount of Rs.25,100/- forcibly from the custody of the complainant and had torn the receipt book.

4. The charge-sheet is filed. The co-accused Pawan Jiyalal Patle is granted bail by this Court. The non-applicant has not been able to show that custody of the applicant is required for further investigation.

Considering the nature of accusations and 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.13/2016 registered by the non-applicant, he be released on bail, on furnishing P.R. Bond for Rs.10,000/-.
- ii) The application is allowed in the above terms.

JUDGE