

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

CRIMINAL APPLICATION (BA) NO.266/2016

Kiran Dnyandeo Salve

..Versus..

State of Maharashtra, through P.S.O. Risod and Dy. S.P. C.I.D. Buldhana

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 : 2.5.2016

Heard Shri R.L. Khapre, Advocate for the applicant and Shri
S.S. Doifode, A.P.P. for the non-applicant.

The applicant is arrested on 3rd March, 2016 in crime originally registered against three persons and then four more accused were added, initially for the offences punishable under Sections 304, 217, 218, 201 and 34 of the Indian Penal Code and subsequently for the offences punishable under Sections 302 and 385 of the Indian Penal Code. All the accused had been working in the police department and the crime is registered against them on the accusations that they are responsible for custodial death of Lalesh Fakira Padgilwar who was detained in connection with some crime.

The application is opposed on the ground that the crime is serious in nature and there is material on the record to show the involvement of the applicant who was working at the relevant time as Police Sub-Inspector, in the crime.

The crime was registered in 2011. The applicant was not shown as accused at that time. All the three persons who are shown as accused in Crime No.190/2011 were released on bail. Subsequently, the Investigating Officer has changed and the applicant and three other persons are added as accused.

The non-applicant has not been able to show that the custody of applicant is required for further investigation. Considering the facts of the case, the applicant is entitled to be released on bail.

Hence, the following order:

- (i) The applicant having been arrested in Crime No.190/2011 registered by the non-applicant, he be released on bail on furnishing P.R. Bond for Rs.50,000/- (Rs. Fifty Thousand Only) and two solvent sureties in the like amount.
- (ii) After filing of the charge-sheet, the applicant shall regularly attend the sessions trial on every date unless exemption is granted by the Sessions Court.

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

JUDGE

Tambaskar.