

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

CRIMINAL APPLICATION (BA) NO.276/2016

Laxman Ganpat Kendre

..Versus..

State of Maharashtra, through Police Station Risod and Deputy S.P. C.I.D. Buldana

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 : 12.4.2016

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

Crime No.190/2011 was initially registered against three persons working in police department, for the offence punishable under Sections 304, 217, 218, 201 and 34 of the Indian Penal Code. According to the prosecution, three accused persons tortured Lalesh who was in custody. All three accused were granted pre-arrest bail in 2011. Subsequently, Investigating Officer changed and offence punishable under Section 302 and 385 of the Indian Penal Code came to be added.

According to the prosecution, four persons working in police department are added as accused in the same crime. The applicant is added as accused. The applicant is arrested on 3rd March, 2016.

This Court by the order dated 11th April, 2016 has granted pre-arrest bail to Panjab Gulabrao Pawar, Sunil Maroti Kaldate, Vijaysing Panjabrao Ghuge, Ratan Tulsiram Bawaskar and Gajanan Baliram Wakode.

With the assistance of learned advocate for the applicant and the learned A.P.P. I have gone through the copy of F.I.R. and the copy of reply filed by the Investigating Officer before the Sessions Court.

Considering the fact that the applicant is in service with the police department, the facts on the record 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 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.20,000/- (Rs. Twenty Thousand Only) and two solvent sureties in the like amount.
- (ii) The application is **allowed** in the above terms.

JUDGE