

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

CRIMINAL APPLICATION (BA) NO. 590 OF 2016
(Shridhar Bhagwant Patrurde Vs. The State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri J. B. Gandhi, Advocate for the applicant.
Shri A. M. Deshpande, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.
DATED : AUGUST 16, 2016

Heard learned Counsel for the applicant and the learned A.P.P. for the State. Perused the reply of the prosecution and the case-diary.

No doubt, there is recovery of torn shirt at the instance of this applicant under Section 27 of the Indian Evidence Act. But, this circumstance by itself cannot be sufficient, at this stage, to make out prima facie case against this applicant. The witnesses are stating that this applicant used to ill-treat deceased Sangita, the first wife. But, the first information report shows that he was not regularly visiting her house, where the deceased was residing separately and that he used to visit her only intermittently. The deceased has died, as per the postmortem report, due to asphyxia owing to compression

of neck. Now, the question would be, who has or who could possibly have done this, whether the applicant or somebody else. Since there are allegations of giving of ill-treatment to the deceased by this applicant, a suspicion has been raised against this applicant. But, when it is seen that this applicant was not regularly visiting the house of the deceased, the allegation of ill-treatment would not go beyond the suspicion against this applicant. Something more would be required. As of now, that does not seem to be available on record. The investigation is over. In these circumstances, I am of the view that now the applicant is entitled to be granted bail. Hence, the order.:

The application is allowed and it is directed that the applicant be released on bail on his executing a P. R. Bond in the sum of Rs.20,000/- together with one solvent surety in the like amount on the conditions that he shall attend the Court regularly on the dates fixed in the matter, shall cooperate with the Court in expeditious disposal of the case and shall not tamper with the prosecution witnesses.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true
and correct copy of original signed order.”

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