

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

CRIMINAL APPLICATION (ABA) NO.677 OF 2016
(Aditya s/o Pradip Tagde vs. State of Maharashtra)

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

Shri O.K. Masurke, Advocate for applicant.
Shri S.A. Ashirgade, Additional Public Prosecutor for
respondent.

CORAM : P.N. DESHMUKH, J.

DATED : DECEMBER 01, 2016

Heard learned Counsel for both sides.
Perused the affidavit-in-reply filed by respondent.

This is an application for bail before arrest in
Crime No.88/2016 registered for the offences punishable
under Sections 143, 147, 148, 149, 341, 307, 120-B and
201 of Indian Penal Code read with Sections 4 and 25 of
Arms Act and Section 37(1)(3), 135 and 142 of Bombay
Prohibition Act. It is the case of applicant that he is
falsely implicated due to rivalry between the parties on
the basis of statement of co-accused recorded three days
after registration of first information report. It is further
contended that all other accused involved in this crime
are released on bail except for one accused whose
application for bail is pending before Sessions Court.

Shri Ashirgade, learned Additional Public
Prosecutor to establish involvement of applicant, has
relied upon statements of Dheeraj and Rahul Bhosale
and submitted that both these eye witnesses have not

attributed any specific role to applicant, however, their statements establish presence of applicant at the scene of offence

Perused the case diary. It appears to be the case of prosecution that crime is registered on the strength of report of Anita, mother of injured Sourabh, involving as many as 7-8 assailants, who were members of unlawful assembly. According to medical report, injuries sustained by Saurabh are all certified to be simple injuries. In view of aforesaid facts and considering the fact that investigation is complete and charge-sheet is filed, application is liable to be allowed by imposing conditions as per order below :

In the event of arrest of applicant, he shall be released on bail on his executing P.R. Bond in the sum of Rs.20,000/- with one surety in like amount. Applicant shall attend Investigating Officer on 3rd and 4th December 2016 between 11 a.m. and 1 p.m. and thereafter on alternate day till 10/12/2016. Applicant shall produce proof of his residential address before Investigating Officer and update the same in the event of any change therein.

The criminal application is accordingly allowed.

JUDGE

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