

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

CRIMINAL APPLICATION (BA) NO.874 OF 2015

(Kailash Limbaji Pawar ..vs.. The State of Maharashtra, through PSO, PS Wadgaon Jungle, District Yavatmal)

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 : 09-02-2016

Heard Shri A.A. Naik, learned Advocate for the applicant and Shri A.K. Bangadkar, learned Addl.P.P. for the non-applicant.

2. The application is opposed by the non-applicant on the ground that the applicant had given contract to Mahadev and Vilas to kill deceased Virendra and the D.N.A. test report shows that blood of deceased is found on the clothes of Mahadev and Vilas. The non-applicant has not been able to point out that earlier, Vilas and Mahadev have been prosecuted or booked for the offences of serious nature. The applicant has not been involved in any criminal offence, earlier except under the Bombay Prohibition Act.

3. Considering the material placed on the record, I am satisfied that the applicant is entitled to be released on bail.

4. Hence, the following order :
- i) The applicant shall be released on bail for the offences punishable under Sections 302, 201, 120B, 114 read with Section 34 of the Indian Penal Code vide Crime No.47/2015 registered with Police Station Wadgaon Jungle, Tahsil and District Yavatmal, on furnishing P.R. Bond of Rs.25,000/- and two solvent sureties of residents of village Karegaon (Yawali), Tahsil and District Yavatmal, in the like amount.
 - ii) The applicant shall not enter village Karegaon (Yawali), Tahsil and District Yavatmal without seeking prior permission of the Sessions Court where charge-sheet has been filed against the applicant.
 - iii) The applicant shall attend the dates of the sessions trial regularly and in case he commits default on any date without seeking exemption from the Sessions Court, the order granting bail shall stand revoked.
 - iv) The criminal application is allowed accordingly.

JUDGE