

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

CRIMINAL APPLICATION (BA) NO.898/2015

**(Sudhakar s/o Birbal Dhekale ..vs.. The State of Maharashtra, through PSO P. S.
Talegaon Dashasar, Dist. Amravati)**

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

Court's or Judge's orders.

Mr. J. B. Kasat, Advocate for applicant.
Mr. Khan, A.P.P. for non applicant-State.

CORAM : A. B. CHAUDHARI, J.

DATE : JANUARY 13, 2016

Heard learned counsel for the rival parties.

Perused the reply filed by the prosecution.

Seen paragraph 6 of the reply, which shows that the prosecution has collected the evidence that was possible and in my opinion, the same cannot be tampered. Admittedly, there is no direct evidence in this case. There is an offence of cruelty etc. but there is no direct evidence regarding commission of murder by the applicant. It may be that under Section 106 of the Evidence Act the applicant would be required to explain but then that is the matter of trial.

In that view of the matter, I make the following order.

ORDER

(i) Criminal Application No.898/2015 is allowed.

(ii) Applicant-Sudhakar Birbal Dhekale, be released on bail in Crime No.78/2015, registered with Police Station, Talegaon Dashasar, Dist. Amravati for an offence punishable under Section 302, 201, 498-A read with Section 34 of the IPC on he executing P.R. Bond in the sum of Rs.20,000/- with one surety in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence.

(iv) The applicant shall attend Police Station, Talegaon Dashasar as and when directed by the Investigating Officer.

JUDGE

kahale