

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 953 of 2015
[Bandu Vithuji Jenekar Vs. State of Mah.]

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

Court's or Judge's orders

Mr. Anuj Hazare, Adv., for the Applicant.
Mr. Dhumale, APP for respondent.

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CORAM : A.B. CHAUDHARI, J.

DATE : 12th January, 2016.

Heard learned counsel for the rival parties. Perused the charge-sheet so also the statements of witnesses as well as FIR. Perused the order made by this Court in the case of other accused persons in the same crime and the reasons recorded therein.

Upon perusal of the charge-sheet, the allegation against the applicant appears to be that he was along with one more person assaulting the deceased by fists and kicks. The death is reported to have been caused because of head injury, perhaps, by "Ubhari".

It is not in dispute and as is revealed from the prosecution case itself, that the deceased was not mentally well, was living alone and was abusing men and women in the locality in filthy language, and had also abused in a filthy language on the date of incident.

As a result, it appears that the incident took place.

Be that as it may, the applicant was arrested on 7th June, 2014, and is in jail since then. Further detention of the applicant is, therefore, not necessary in the light of the above factual position. That being so, I make the following order:-

ORDER

- [a]** Criminal Application [BA] No. 953 of 2015 is allowed.
- [b]** Applicant shall be released on bail upon furnishing a Personal Bond in a sum of Rs. 25,000/- [rupees twenty-five thousand only] with one surety in the like amount.
- [d]** The applicant shall not threaten, pressurize or influence the prosecution witnesses or tamper with the prosecution evidence. Any such act on the part of the applicant shall lead to recall of this order.

Judge

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