

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.964 /2015

(Santosh s/o Mahadeorao Mohokar vs. State of Maharashtra)

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

Court's or Judge's order

.....
Mr. H.M.Mohta, Advocate for applicant
Mr.A.K.Bangadkar, APP for respondent -State

CORAM: A.B.CHAUDHARI, J.

DATED : 11th January, 2016.

Heard learned counsel for the rival parties.
Perused the First Information Report.

The FIR appears to have been lodged after six-and-a-half-months, about the commission of suicide by the father of the informant. The story of the prosecution is that the applicant is doing money lending business and working as a Class III employee (Clerk) in the Office of the Municipal Corporation, Akola and the deceased had taken a hand-loan in the sum of Rs.1,50,000/- from him, from time to time. As such *prima facie*, the live link that is *sine quo non* for consideration of the offence under Section 306 is absent. The applicant is therefore entitled for grant of regular bail. Hence the following order:

ORDER

- i) Criminal Application (BA) No. 964/2015 is allowed.

ii) The applicant-Sanotsh s/o Mahadeorao Mohokar, be released on bail, in connection with Crime No. 138/2015 registered at City Kotwali Police Station Dist. Akola the offence punishable under Section 306 IPC r/ws. Section 39 of the Maharashtra Money Lending Act, on executing a personal bond in the sum of Rs. 10,000/-(rupees ten thousand) with one solvent surety in the like amount. The applicant shall attend the City Kotwali Police Station as and when called, for the purpose of investigation and shall not tamper with the prosecution evidence.

JUDGE

sahare