

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

Criminal Application (BA) No. 118 of 2017

Piyush v. State of Maharashtra

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

Court's or Judge's orders

Shri R. K. Tiwari, Advocate for applicant
Shri S. D. Sirpurkar, APP for respondent-State

Coram : S. B. Shukre, J

Dated : March 29, 2017

Heard learned counsel for the applicant and learned Additional Public Prosecutor for respondent-State. Perused the charge-sheet.

It is seen from the statements of some of the witnesses that the only role attributed to this applicant is that he along with others was standing outside the house of the deceased, holding weapon. But even about such presence, there is some confusion as at least two of the witnesses have not said anything about the presence of this applicant outside the house of deceased Mariba in a specific manner.

The applicant is in jail since 16.2.2016. The material collected against the applicant being of the nature as discussed above, I am of the view that the applicant can be released on bail.

Application is allowed and it is directed that the applicant be released on bail in Crime no. 93/2016 registered with Police Station, Wadi for the offences punishable under Sections 143, 147, 148, 149, 302, 307, 324, 449 and 109 of the Indian Penal Code read with Section 135 of the Bombay Police Act and Section 3 of the MCOC Act upon his furnishing PR Bond of Rs. 25,000/- with one solvent surety in the like

amount, on the following conditions :

- (i) Applicant shall regularly attend the trial on all dates of hearing.
- (ii) Applicant shall not tamper with the prosecution evidence in any manner.
- (iii) Applicant shall not reside within the municipal limits of Wadi and shall supply his detailed address along with cellphone number (if any) to the trial Court as also to the Police Station, Wadi within seven days from the date of his release.

Application is disposed of accordingly.

JUDGE

joshi