

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

CRI. APPLICATION (BA) NO. 305 OF 2017

(GANESH SURESH MANE...VS.. STATE OF MAH. THR. P.S.O. CHIMUR, DISTT. CHANDRAPUR)

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

Court's or Judge's orders

Shri D.B.Borkar, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 16, 2017.

Heard.

The applicant is arrested on 29th September, 2016 in crime registered against him and others for the offences punishable under Sections 498-A, 307, 302, 506 read with Section 34 of the Indian Penal Code. The crime is registered against the applicant, his paternal uncle and paternal aunt on the accusations that the accused have poured kerosene on the person of the wife of the applicant and set her ablaze.

The application is opposed on the ground that there is ample material which shows the involvement of the applicant in the crime and even the dying declarations of the deceased show that the applicant has committed the crime. The application is also opposed on the ground that the applicant is nomad and if he is released on bail there is apprehension that he will abscond. On this, advocate for the applicant stated that the applicant will be furnishing solvent surety of blood relative of the applicant residing in Buldana district.

The charge-sheet is filed on 22nd December, 2016. The non-applicant has not been able to point out that custody of the applicant is required for further investigation.

Considering the facts on the record, I am of the view that the applicant is entitled to be released on bail, however, on the condition as imposed by this order.

Hence, the following order:

The applicant having been arrested in Crime No. 296 of 2016, registered by the non-applicant, he be released on bail on furnishing P.R. bond for Rs.One Lakh and two solvent sureties in the like amount. These solvent sureties shall be furnished by the blood relatives of the applicant having immovable property in Buldana district, as assured on behalf of the applicant.

The applicant shall be released only after the non-applicant is satisfied about the genuineness of the solvent surety.

The applicant shall regularly attend the trial before the Sessions Court on every date unless granted exemption by the Sessions Court.

The application is **allowed** in the above terms.

JUDGE