

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

CRIMINAL APPLICATION (BA) NO.369/2017

Shivprasad Ghanshyam Bangre

..Vs..

State of Maharashtra, through Police Station Officer Sakkardara, Nagpur

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

Court's or Judge's orders

Shri K.G. Patel, Adv. for the applicant.
Shri N.R. Patil, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 21.6.2017.

Heard.

The applicant is arrested on 28th September, 2016 in crime registered against him and another accused for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code on the accusations that the accused have committed murder of Shashikala, aged about 67 years. According to the investigating agency, the applicant alongwith co-accused was doing labour work near the house of victim and when the victim was alone in her house in the afternoon, the crime is committed.

The application is opposed on the ground that the statements of neighbours show that the applicant and co-accused were working near the house of the victim and the C.C.T.V. footage taken from the adjoining jewellery shop also shows presence of applicant and co-accused near the house of the victim. It is further submitted that golden ornaments of victim are seized

from the applicant and the co-accused.

The applicant, aged about 38 years, claims that he is working as Labour and is not involved in any other crime / offence. These facts are not controverted by the non-applicant. The investigation is complete and the charge-sheet is filed on 22nd December, 2016. The case of investigating agency is based on circumstantial evidence. The non-applicant has not been able to show that the custody of the applicant is required for further investigation.

In the facts of the case, following order is passed:

The applicant having been arrested in Crime No.228/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand) and on furnishing two solvent sureties in the like amount.

The applicant shall 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