

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

CRIMINAL APPLICATION (BA) NO.413/2017

Yogesh S/o Homraj Sonule

..Vs..

State of Maharashtra, through P.S.O. Kalmeshwar, P.S. Kalmeshwar, Distt.
Nagpur

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

Court's or Judge's orders

Shri Rajendra N. Patil, Adv. for the applicant.
Shri S.P. Deshpande, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 27.6.2017.

Heard.

The applicant is arrested on 7th September, 2016 in crime registered against him and two others initially for the offence punishable under Section 324 and Section 34 of the Indian Penal Code and as the victim died it is converted into offence punishable under Section 302 of the Indian Penal Code.

According to the investigating agency, the applicant assaulted the victim Sanjay with stone weighing about 21 K.G. and because of the injuries, shock and hemorrhage he died on the next day of incident.

The application is opposed on the ground that there is ample material, including the statement of eye witnesses, showing the involvement of the applicant in

the crime.

The postmortem report shows that the victim suffered 7 injuries, all of them on the lower limbs. The investigation is complete and charge-sheet is filed on 6th November, 2016. The applicant claims to be an Agriculturist and has stated that he is not involved in any other crime / offence. The non-applicant has not been able to show that custody of the applicant is required for further investigation. In the facts of the case, the following order is passed:

The applicant having been arrested in Crime No.586/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.50,000/- (Rs. Fifty Thousand) and 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