

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

CRIMINAL APPLICATION (BA) NO.415/2017

Ankush S/o Damodar Ramteke

..Vs..

State of Maharashtra, through P.S.O. Yavatmal Police Station (City), Yavatmal

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, 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 2nd November, 2016 in crime registered against him and three others for the offence punishable under Sections 302, 120-B read with Section 34 of the Indian Penal Code and Section 4/25 of the Arms Act. The crime is registered on the complaint of Subhash Khobragade that the accused have assaulted his son by deadly weapons and because of the injuries suffered by him, he succumbed. According to the investigating agency, the applicant is identified by an eye witness Rupali Ghosh in the identification parade.

The learned Advocate for the applicant has pointed out from the memorandum of identification parade that the claim of the investigating agency that eye witness Rupali Ghosh has identified the applicant as one of the accused, is not correct and she has identified

co-accused Sumit Babusingh Bais and Tushar Ranjit Meshram. It is further submitted that though two crimes were earlier registered against the applicant, his name is deleted on the submission of investigating agency itself.

The investigation is complete and the charge-sheet is filed on 25th January, 2017. The non-applicant has not been able to show that custody of the applicant is required for further investigation. Considering the facts of the case, the following order is passed:

The applicant having been arrested in Crime No.724/2016 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 for the amount of Rs.25,000/-.

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