

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

CRI. APPLICATION (BA) NO. 437 OF 2017

(VITTHAL BAJIRAO KUMARE...VS.. STATE OF MAH. THR. P.S.O. WARORA, 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 S.V.Sirpurkar, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 29, 2017.

Heard.

On the complaint lodged by Rekha Ganpatrao Wankhade (mother of deceased) that her son (deceased) had not returned to the house since 22nd November, 2016 and then his dead body was found on 23rd November, 2016 at about 7.00 a.m. in nullah, Crime No.1075 of 2016 came to be registered against unknown persons and then as investigation progressed, the applicant was arrested on 26th November, 2016.

According to the Investigating Agency, the applicant suspected that Pradeep had illicit relationship with wife of the applicant and had warned Sandeep (brother of deceased Pradeep) to give understanding to Pradeep otherwise he will have to face dire consequences.

The case of the Investigating Agency is based on circumstantial evidence. The investigation is complete and charge-sheet is filed on 17th February, 2017. The co-accused Pitambar Shyamrao Dethe is released on bail as per the order

passed by the Sessions Court on 27th February, 2017. 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.1075/2016, registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Fifty Thousand and furnishing two solvent sureties in the like amount.

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

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

CRI. APPLN.(APPP.) NO. 795/2017

In view of disposal of the bail application, the application praying for time to file affidavit, charge-sheet etc. does not survive, hence, it is **disposed of**.

JUDGE