

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

CRI. APPLICATION (BA) NO. 519 OF 2017

(VISHAL SURENDRA NETAM...VS.. STATE OF MAH. THR. P.S.O. GOREGAON, DIST. GONDIA)

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

Court's or Judge's orders

Shri Nalin Majethiya, Advocate for applicant.
Shri T.A.Mirza, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 15, 2017.

Heard.

The applicant is arrested on 26th February, 2017 in crime registered against him for the offence punishable under Section 302 of the Indian Penal Code on complaint lodged by his mother that the applicant assaulted his elder brother over his head by iron rod which assault proved to be fatal.

In the order passed by the learned Additional Sessions Judge, after considering the material on record, it is recorded that *prima-facie* it appears that it is the case of sudden quarrel with no pre-meditative motive.

The charge-sheet is filed and the non-applicant has not been able to show that custody of the applicant is required for further investigation. The applicant, who is aged about 21 years, claims that he is running a tea stall and snacks centre and is maintaining his family which comprises of his mother and younger sister. The non-applicant has not pointed out anything adverse against the applicant.

Considering the facts, in my view, the applicant is entitled to be released on bail.

Hence, the following order:

The applicant having been arrested in Crime No. 46 of 2017, registered by the non-applicant, he be released on bail on furnishing P.R. Bond for Rs.Twenty Thousand and two solvent sureties in the like amount.

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

JUDGE

RRaut..