

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

CRIMINAL APPLICATION (ABA) NO.403/2017

Vishal Dhanraj Gajbhiye

..Vs..

State of Maharashtra through Police Station Officer, Police Station Chandur
 Railway, Distt. Amravati

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

Court's or Judge's orders

 Shri Vinay Dahat, Adv. for the applicant.
 Shri A.D. Sonak, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 14.6.2017.

Heard.

The applicant, apprehending arrest in crime registered against him and two others for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code, has sought pre-arrest bail. The crime is registered on the complaint lodged by Baban Dnyanobaji Devpare that on 22nd February, 2017 at about 8.30 p.m. the accused came to the shop of the complainant and assaulted him causing grievous injuries.

The learned Advocate for the applicant has submitted that co-accused Dhanraj is granted pre-arrest bail and the third accused Satish is granted regular bail after he surrendered.

From the reply filed by the investigating agency before the Sessions Court (copy of which is placed on record alongwith this application at page 23)

the learned A.P.P. has not been able to point out that custodial interrogation of applicant is required for further investigation.

The applicant claims to be an Agriculturist which fact is not controverted by the non-applicant.

Considering the facts of the case and the nature of accusations against the applicant, I am of the view that the applicant is entitled for pre-arrest bail, however, on conditions as imposed by this order.

(i) In the event of arrest in Crime No.56/2017 registered by the non-applicant, the applicant be released on bail on furnishing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand) and one solvent surety in the like amount.

(ii) The applicant shall attend the police station Chandur Railway, Distt. Amravati on every Tuesday between 11 a.m. to 1 p.m. till the charge-sheet is filed.

(iii) The application is allowed in the above terms.

JUDGE