

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

CRIMINAL APPLICATION (BA) NO.537/2017

Kailash S/o Devnath Ghode

..Vs..

The State of Maharashtra, through P.S.O., P.S. Borgaon Manju, Distt. Akola

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

Court's or Judge's orders

Shri R.M. Daga, Adv. for the applicant.
Shri T.A. Mirza, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 12.7.2017.

Heard.

The applicant is arrested on 28th October, 2016 in connection with crime registered against him for the offence punishable under Section 302 of the Indian Penal Code.

The crime is registered on the complaint lodged by the widow of victim.

The victim (deceased) was the real brother of the applicant.

The learned Advocate for the applicant has submitted that the complaint is lodged after about 25 days of the incident and there is no explanation for the delay. It is submitted that the investigation is complete and charge-sheet is filed on 25th January, 2017 and custody of applicant is not required by the investigating

agency for investigation.

The case of the investigating agency is based on circumstantial evidence. The applicant, aged about 32 years, claims to be an agriculturist and has stated that he is not involved in any other crime / offence.

Considering the facts of the case, following order is passed:

The applicant having been arrested in connection with Crime No.300/2016 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 of Rs.25,000/- (Rs. Twenty Five Thousand) each.

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

JUDGE