

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

CRI. APPLICATION (BA) NO. 545 OF 2017

(SUBHASH @ RAMKRISHNA BALAJI RANE & ANR...VS.. STATE OF MAH.THR.P.S.O., BELA, DIST.
NAGPUR)

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

Court's or Judge's orders

Ms M.N.Hiwase, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 14, 2017.

Heard.

The applicants are arrested on 26th February, 2017 in connection with crime registered for the offences punishable under Sections 364, 302, 201 and 34 of the Indian Penal Code on the accusations that the applicants have committed murder of victim and had disposed his body by throwing it in pump house of the lake.

The prosecution relies on the statements of Kailash Gulabraoji Walke and Nitin Mahadeorao Galmale and claims that they are eyewitnesses of the incident.

The learned advocate for the applicant has pointed out that according to the above referred witnesses, the incident took place on 23rd February, 2017 at about 8.00 p.m. in market area and body of the deceased is recovered on 26th February, 2017 from Pump House situated at a distance of about 2 kms. from the spot where the incident has allegedly taken place. It is argued that in view of the facts on record, it is clear that the applicants are falsely implicated.

Be that as it may, the investigation is complete and charge-sheet is filed. The non-applicant has not been able to point out that the custody of the applicant is required for further investigation. The applicants, aged about 33 years and 23 years, claim that they are permanent residents of village Sirsi, Tahsil : Umrer, District : Nagpur, that they are cultivators and are not involved in any other crime/ offence.

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

The applicants having been arrested in connection with Crime No.22 of 2017, registered by the non-applicant, they be released on bail on executing P.R. Bond for Rs.Twenty Thousand each and furnishing two solvent sureties in the like amount for each of the applicant.

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

JUDGE

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