

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

CRIMINAL APPLICATION (BA) NO.568/2017

Praful S/o Vasanta Babhulkar and another

..Vs..

State of Maharashtra, through Police Station Officer, Police Station,
Hinganghat, Tah. Hinganghat, Distt. Wardha

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

Court's or Judge's orders

Shri S.D. Chande, Adv. for the applicants.
Shri V.R. Thakre, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 29.6.2017.

Heard.

The applicants are arrested on 23rd July, 2016 in crime registered against them initially for the offence punishable under Sections 307 and 324 read with Section 34 of the Indian Penal Code and subsequently on death of victim converted to Section 302 of the Indian Penal Code.

According to the investigating agency, because of a dispute over boundary of field, the applicants (real brothers) assaulted the victim by axe causing bleeding injury on his head which proved to be fatal. Victim died in hospital after about 27 days.

The applicant No.1 is aged about 21 years and claims to be a student. The applicant No.2 is aged about 22 years and claims to be a Labourer. The applicants have stated that they are not involved in any other

crime / offence earlier. The investigation is complete and charge-sheet is filed. The non-applicant has not been able to show that custody of the applicants is required for further investigation.

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

The applicants having been arrested in Crime No.1073/2016 registered by the non-applicant, they be released on bail on executing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand) each and furnishing two solvent sureties in the like amount for each of the applicant.

The applicants shall attend the trial before the Sessions Court on every date unless granted exemption by the Sessions Court.

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

JUDGE