

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

CRIMINAL APPLICATION (BA) NO.577/2017

Umesh S/o Laxmanrao Wagharhande

..Vs..

The State of Maharashtra, through Police Station Officer Wardha City

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

Court's or Judge's orders

Shri S.K. Bhoyar, Adv. for the applicant.
Shri T.A. Mirza, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 1.7.2017.

Heard.

The applicant is arrested on 28th November, 2016 in connection with crime registered against him and 3 others for offence punishable under Sections 302, 341 and 504 read with Section 34 of the Indian Penal Code, Sections 4/25, 27 of the Arms Act and Section 135 of the Maharashtra Police Act on the accusations that the accused assaulted the victim causing grievous injuries because of which he succumbed.

The accusations against the applicant are that he assaulted the victim by a stick, the postmortem report shows that the death is caused because of head injury and injury to brain.

The application is opposed on the ground that the complainant (wife of deceased) is eye witness and

the applicant took active part in the assault by using a stick.

The applicant, aged about 30 years, claims to be a Labourer and has stated that he is not involved in any other crime / offence. The investigation is complete and charge-sheet is filed on 6th March, 2017. The non-applicant has not been able to point out that further custody of the applicant is required for investigation.

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

The applicant having been arrested in connection with Crime No.2549/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand) and furnishing two solvent sureties in the like amount.

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

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

JUDGE