

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

CRIMINAL APPLICATION (BA) NO.597/2017

Sameer S/o Laxman Kapse

..Vs..

State of Maharashtra, through Police Station Officer, Police Station, Tehsil,
Distt. Nagpur

AND CRIMINAL APPLICATION (BA) NO.598/2017

Bharat S/o Shivram Ninave and another

..Vs..

State of Maharashtra, through Police Station Officer, Police Station, Tehsil,
Distt. Nagpur

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

Court's or Judge's orders

Shri F.T. Mirza, Adv. for the applicants.

Shri S.P. Deshpande, A.P.P. for respondent / State. (in both
applications)

CORAM : Z.A.HAQ, J.

DATE : 5.7.2017.

Heard.

These applications are disposed of by common
order as the applicants in these two applications are
arrested in connection with same crime.

The applicants are arrested on 16th June, 2017
in connection with crime registered against them for
offence punishable under Section 304 read with Section
34 of the Indian Penal Code on the accusations that they
have assaulted victim by fists and kicks on 15th June,
2017 because of which he died on 16th June, 2017.

The facts on record show that some incident had occurred on 15th June, 2017, the victim was taken to hospital and as nothing serious was found, the victim was not hospitalized. The victim died at his house on the next day of incident.

The applicants, aged about 30 years, 22 years and 31 years claim to be employed in a shop and they have stated that they are not involved in any other crime / offence. In the reply filed by the non-applicant before the Sessions Court (the copy of which is placed on record at page 26) there is nothing to show that the victim suffered any injuries.

The non-applicant has not been able to pointed out that further custody of applicants is required for investigation.

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

The applicants having been arrested in Crime / F.I.R. No.188/2017 registered by the non-applicant, they be released on bail on executing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand) each and furnishing one solvent surety in the like amount for each of the applicant.

The applications are **allowed** in the above terms.

JUDGE