

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

CRIMINAL APPLICATION (BA) NO. 701 OF 2017

(UMESH S/O VIJAY YENNAWAR...VS...STATE OF MAH. THR. P.S.O. PS BHADAWATI, TAH-
BHADRAWATI, DIST.CHANDRAPUR)

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

Court's or Judge's orders

Shri S. O. Ahmed, Advocate for Applicant.
Shri A. D. Sonak, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 31st JULY, 2017.

The applicant is arrested in connection with Crime No.633 of 2017 registered against him and his mother for offence punishable under Sections 306, 304-B read with Section 34 of the Indian Penal Code.

The application is opposed on the ground that there is ample material available with the Investigating Agency which shows prima-facie involvement of the applicant in commission of crime. The learned A. P. P. has submitted that four chits (dying declarations) are seized by the Investigating Agency which are in Telugu language and these are sent for translation and verification of the handwriting.

The application is opposed on the ground that investigation is in progress.

The learned advocate for the applicant has submitted that the applicant is arrested on 16th June, 2017 and he is in jail for more than 6 weeks. It is submitted that

except for making general statement that investigation is in progress, the non-applicant has not been able to point out that further custody of the applicant is required for investigation. It is pointed out that co-accused Smt. Shobha (mother of the applicant) is granted pre-arrest bail as per the order passed by this Court on Criminal Application (ABA) No.492 of 2017 on 19th July, 2017.

The applicant, aged about 31 years, claims to be working as driver on Ambulance of one BVG Company. The applicant claims that he is having daughter, aged about 5 years, who is presently with the applicant's mother.

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

The applicant having been arrested in connection with FIR/Crime No.633 of 2017 registered by the non-applicant, he be released on bail on executing P. R. Bond for Rs.25,000/- and furnishing two solvent sureties in the like amount.

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

JUDGE

PBP