

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

CRI. APPLICATION (BA) NO. 729 OF 2017

(ARUN SHANKARPRASAD PATEL....VS.. STATE OF MAH.THR.P.S.O., MIDC, BUTIBORI, NAGPUR)

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

Court's or Judge's orders

Shri Kartik Patel, Advocate for Applicant.
Shri M.J,Khan, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 03, 2017.

Heard.

The applicant is arrested on 6th December, 2016 in connection with Crime No.198 of 2016 registered by the non-applicant for the offence punishable under Section 307 of the Indian Penal code. According to the Investigating Agency, a dispute amongst the workers working with a particular company erupted and during lunch time when the workers had their meal and were taking rest, the applicant suddenly caused stab injury on the abdomen of the victim and fled away. According to the Investigating Agency, the injured was required to be hospitalized for about two weeks.

The application is opposed on the ground that there is ample material available with the Investigating Agency to show involvement of the applicant in commission of the crime and that the statement of the victim clearly shows that the applicant has caused injury to the victim. It is urged that the applicant is ordinarily resident of Madhya Pradesh and if he is released on bail it will not be possible to secure his presence at the trial.

The investigation is complete and charge-sheet is filed on 14th February, 2017. The non-applicant has not been able to point out that further custody of the applicant is required for investigation. The applicant, aged about 20 years, claims to be labourer and has stated that he is not involved in any other crime/ offence. According to the applicant, he is residing with his elder brother on the address given in the cause title of the application.

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

The applicant having been arrested in connection with Crime No.198 of 2016, registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Twenty Five Thousand and furnishing two solvent sureties in the like amount.

Out of the two solvent sureties one will be by Pradeep Shankarprasad Patel (brother of the applicant) and another solvent surety shall be of a person permanently residing at Nagpur.

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

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

JUDGE