

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

CRIMINAL APPLICATION (BA) NO.750 OF 2017

Pravin s/o Peeru Rathod

..VS..

State of Maharashtra, through P.S.O. Parwa, District Yavatmal

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

Court's or Judge's Order

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Shri S.A. Chaudhari, Counsel for the applicant.

Shri R.S. Nayak, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 14, 2017.

This is an application for bail.

The applicant is arrested in connection with Crime
No.154 of 2017 registered with Parwa Police Station, District
Yavatmal for the offences punishable under Sections 307, 324,
143, 147, 148, and 149 of the Indian Penal Code, 1860.

The first information report is lodged by one
Vasanta Sheshrao Rathod, brother of injured Nitesh. The said
first information report is lodged on 14.6.2017 in respect of
incident dated 13.6.2017.

The gist of the first information report shows that
a quarrel was ensued on account of waste rain water flowing in
the compound of the accused persons. According to the first
information report, the present applicant assaulted on Nitesh by
means of an axe.

The present application is strongly opposed by learned Additional Public Prosecutor Shri R.S. Nayak for the State. However, learned Additional Public Prosecutor submits that though charge-sheet is yet to be filed, the entire investigation is over and formality of filing of the charge-sheet is remained to be done. He also made available to me the entire case papers.

On perusal of the case papers it is clear that the entire investigation is over. The weapon is already seized. All other seizures are already made by the investigating officer. The injured is also discharged from the hospital on 15.6.2017. Thus, there is a little chance of possibility of converting the present offence into more graver one. The applicant is in jail since 14.6.2017.

Looking to the facts that the entire investigation is already over and formality of filing of the charge sheet is remained to be done, the weapon is seized, and the other accused persons are already released on bail, in my view, the application can be considered as per order below:

ORDER

i) The criminal application is allowed.

ii) The applicant be released on bail on his executing a P.R. Bond in the sum of Rs.25,000/- with two solvent sureties of the like amount in

connection with Crime No.154 of 2017 registered with Parwa Police Station, District Yavatmal for the offences punishable under Sections 307, 324, 143, 147, 148, and 149 of the Indian Penal Code, 1860.

iii) The applicant shall attend Parwa Police Station, District Yavatmal twice in a week that is on every Sunday and Tuesday in between 3:00 p.m. and 5:00 p.m., till filing of the charge-sheet.

iv) After filing of the charge-sheet, the applicant shall attend the Police Station once in a month on third Thursday of every month, in between 3:00 p.m. and 5:00 p.m., till culmination of the Trial.

v) The applicant shall not intimidate any of the prosecution witnesses.

vi) With this, the criminal application is allowed and disposed of.

JUDGE

!! BRW !!

...../-