

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

CRIMINAL APPLICATION (BA) NO.833 OF 2017

Prakash s/o Devidas Jadhao

..vs..

The State of Maharashtra, thr. PSO PS Washim (Rural), District Washim

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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 R.M. Daga, Counsel for the applicant.
Mrs. K.R. Deshpande, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 6, 2017.

Heard learned counsel Shri R.M. Daga for the
applicant and learned Additional Public Prosecutor Mrs. K.R.
Deshpande for the State.

Though the application for bail is coming for the
first time, learned Additional Public Prosecutor Mrs. K.R.
Deshpande for the State is ready with the instructions and has
tendered reply on record. The said attempt on the part of
learned Additional Public Prosecutor Mrs. Deshpande is
appreciated by the Court.

The applicant is arrested on 23.3.2017 in
connection with Crime No.64 of 2017 registered with Police
Station Washim (Rural), District Washim for the offences
punishable under Sections 302 and 201 of the Indian Penal Code.

.....2/-

The investigating officer has already completed the entire investigation and has filed the challan before the Court of law.

The only allegation against the applicant, as could be seen from submission of learned Additional Public Prosecutor Mrs. Deshpande and the reply filed on behalf of the State, is that the applicant has helped main accused Yuvraj Jadhav who strangled the deceased to dispose of the body by purchasing the petrol from the petrol pump and even for that according to learned counsel for the applicant, there is no admissible evidence available in the entire charge-sheet.

I am afraid that this particular aspect can be vouched by this Court at this stage. However, it is crystal clear that even according to the prosecution, the applicant is not responsible for causing death of Ram Kengar and further when the investigation is already over and the charge-sheet is already filed, looking to the role against the present applicant, in my view, further incarceration of the applicant is not necessary. That leads me to pass the following order:

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/-

.....3/-

with two solvent sureties of the like amount in connection with Crime No.64 of 2017 registered with Police Station Washim (Rural), District Washim for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

iii) The applicant shall attend the police station once in a month i.e. on last Sunday of every month in between 3:00 p.m. and 5:00 p.m., till culmination of the Trial.

iv) With this, the criminal application is disposed of.

JUDGE

!! BRW !!

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