

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

CRIMINAL APPLICATION (BA) NO.866/2017

Vijay Digambar Mohurle and anr. ..vs.. State of Maharashtra through PSO
P.S.Maregaon, Tq. Maregaon, Dist. Yavatmal.

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

Court's or Judge's orders.

Mr. M. I. Dhatriak, Advocate for applicants.
Mr. R. S. Nayak, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : SEPTEMBER 13, 2017

Heard Mr. M. I. Dhatriak, Advocate for
applicants and Mr. R. S. Nayak, A.P.P. for non applicant-
State.

Though the matter is coming for the first
time, learned A.P.P. is ready with all the instructions.
Not only that he has tendered the reply which is taken
on record.

The applicants are arrested in connection
with Crime No.267/2016 registered with Police Station,
Maregaon, Dist. Yavatmal for an offence punishable
under Section 376(D), 341, 363 of the Indian Penal
Code and under Sections 3 (1) (w) (ii) and 3 (2) (5) of
the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act, 1989.

The learned A.P.P. in all fairness submitted
that the co-accused Ganesh Ghugal is already released
on bail by this Court (Coram: Z.A.Haq, J.) on 24.07.2017
and other co-accused Vinod Dhakane is released by this

Court (Coram: V.M. Deshpande, J.) on bail on 11.09.2017. Further, the investigation in the present crime is already completed and charge-sheet is also filed.

According to the learned A.P.P. for the State, the role attributed to the present applicants is at par with Ganesh and Vinod. In that view of the matter, the applicants are entitled to be released on bail on parity.

Hence, the following order is passed.

ORDER

- (i) Criminal Application No.866/2017 is allowed.
- (ii) Applicant no.1-Vijay Digambar Mohurle and applicant no.2-Nitesh @ Nilesh Ankushh Nehare be released on bail in connection with Crime No.267/2016 registered with Police Station, Maregaon, Dist. Yavatmal for an offence punishable under Sections 376(D), 341, 363 of the Indian Penal Code and under Sections 3 (1) (w) (ii) and 3 (2) (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on they executing P.R. Bond in the sum of Rs.25,000/- each with two solvent sureties each in the like amount.
- (iii) Till the conclusion of the trial, the applicants shall not enter village Kumbha, Tq. Maregaon, Dist. Yavatmal unless permission is granted by the learned Judge of the Special Court.
- (iv) The applicants shall give details of the addresses where they would be residing till the conclusion of the trial.

(v) The applicants shall also furnish their cellphone numbers and cellphone numbers of the persons who will stand surety for them to the investigating officer.

(vi) The applicants shall be released on bail only after the aforesaid formalities are completed.

The application stands disposed of.

JUDGE

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