

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

CRIMINAL APPLICATION (BA) NO.963/2016

Sachin S/o Bapurao Pimple

..Vs..

The State of Maharashtra, through Police Station Officer, Police Station
Dattapur, Tq. Dhamangaon, Distt. Amravati

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

Court's or Judge's orders

Shri P.R. Agrawal, Adv. for the applicant.
Shri V.A Thakre, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 8.6.2017.

Heard.

The applicant is arrested in crime initially registered for the offence punishable under Sections 326, 324, 504 read with Section 34 of the Indian Penal Code and then on death of the victim, the offence punishable under Section 302 of the Indian Penal Code is added. According to the investigating agency the applicant is also liable to be tried for the offence punishable under Section 3(1)(x), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 read with Section 4/25 of the Arms Act.

The learned Advocate for the applicant tried to persuade me on the point that the applicant is entitled to be released on bail and one of the submission is that the co-accused Atul Sorte and Aashish Hatwar are

released on bail by the Sessions Court. It is further submitted that the charge-sheet is already filed and the investigating agency has not brought anything on the record to show that custody of the applicant is required for further investigation.

The application is opposed by the investigating agency on the ground that there is ample material against the applicant including the statement of eye witness (complainant), seizure of weapon and that the applicant is having criminal antecedent and is convicted earlier for the offence punishable under Section 353 of the Indian Penal Code.

Considering the facts of the case I am not inclined to grant the prayer of the applicant. The application is **dismissed**. However, the Sessions Court is directed to conclude the trial till 30th September, 2017. If the trial is not concluded till 30th September, 2017, the applicant will be at liberty to reiterate his request.

JUDGE