

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

**CRIMINAL APPLICATION (BA) NO.1192/2017**

**Akashchandra s/o Ulhas Narnavre**

**..vs..**

**State of Mah., thr. PSO PS Wadi, Nagpur**

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

Court's or Judge's Order

Shri S.N. Bawangade, Counsel for the applicant.

Shri V.A. Thakare, Addl.P.P. for the State.

**CORAM : V.M. DESHPANDE, J.**

**DATED : DECEMBER 18, 2017.**

1. Heard learned counsel Shri S.N. Bawangade for the applicant and learned Additional Public Prosecutor Shri V.A. Thakare for the State.

2. The applicant is arrested on 5.12.2016 in connection with Crime No.973 of 2016 registered with Police Station Wadi, District Nagpur for the offences punishable under Sections 302, 201, 143, 147, and 149 of the Indian Penal Code.

3. It is the case of the prosecution that one Salim Sheikh Ahmed was missing from his house since 26.9.2016. Therefore, a missing report was lodged on 29.9.2016. Thereafter, on 1.10.2016 brother of said Salim lodged a report in which it is stated that on previous day, when he was standing in front of his house, he was informed by unknown persons that a dead

body was seen in well in open ground. The informant then found that the dead body was of his brother. The informant was also told by one Mangesh that on 26.9.2016 at about 11:30 p.m. the applicant and others were seen assaulting the brother of the informant.

4. The charge-sheet shows that there are statements of one Mangesh and Nisha which attribute role not only against the applicant but also other accused persons. Their statements have been recorded after four days of the incident. Even according to them, the incident in question took place at 11:30 p.m.. From the charge-sheet it is clear that there was no light in the vicinity. In that view, the delay in making those statements is relevant.

5. It is to be noted that this Court has already released Ravi and Sanjay on bail. The role of those persons is identical with that of the present applicant.

6. In that view of the matter, the applicant is entitled to be released on bail on the ground of parity. Consequently, I pass the following order:

**ORDER**

(i) The criminal application is allowed.

(ii) Applicant Akashchandra s/o Ulhas Narnavre, 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.973 of 2016 registered with Police Station Wadi, District Nagpur for the offences punishable under Sections 302, 201, 143, 147, and 149 of the Indian Penal Code.

(iii) The applicant shall scrupulously attend each and every date of the Sessions Case and shall extend full cooperation to learned Judge who shall be trying the Sessions Case.

(iv) The applicant shall not influence the prosecution witnesses.

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

**JUDGE**

!! BRW !!

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