

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

CRI. APPLICATION (BA) NO. 1221 OF 2017

(DILIP SAHEBRAO GIRHE...VS.. STATE OF MAH. THR. PSO HUDKESHWAR, NAGPUR)

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

Court's or Judge's orders

Shri P.P.Kotwal, Advocate for Applicant.
Shri N.R.Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : DECEMBER 21, 2017.

Heard.

Criminal Application (BA) No. 216 of 2017 filed by the applicant was dismissed as withdrawn on 13th June, 2017 with liberty to the applicant to file application again if trial does not conclude till 30th November, 2017.

Now, this application is filed seeking directions to the non-applicant to release the applicant on bail on the ground that till date only charge is framed and recording of evidence has not started and the trial may take further six months.

The applicant is arrested in connection with the crime registered against him by the non-applicant for the offence punishable under Section 302 of the Indian Penal Code.

According to the prosecution, the deceased had nine injuries on his body, out of which one injury is over head on the left side which is caused by a blow of crowbar and one stab wound over the face on the left side and the other injuries cannot be said to be on any vital part of the body. The learned advocate for the applicant has submitted that the applicant is aged about 32 years doing labour work and is not involved in any other crime/ offence. It is further submitted that the mother of the applicant is also doing work of agricultural labour and her employer Shri Krushna Daulat Jichkar, who is a respected person of village Hingna and owns immovable properties at Hingna, is willing to stand as surety for the applicant.

The investigation is complete and charge-sheet is filed. The non-applicant has not been able to show that the custody of the applicant is required for further investigation.

In the facts of the case, following order is passed :

The applicant, having been arrested in connection with Crime No.196/2016 registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Fifty Thousand and furnishing one solvent surety in the like amount.

As submitted on behalf of the applicant, this solvent surety shall be furnished by Shri Krushna Daulat Jichkar, resident of Hingna, District : Nagpur.

The applicant shall attend the trial before the Sessions Court on every date unless granted exemption by the Sessions Court.

The criminal application is **allowed** in the above terms.

JUDGE

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