

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

CRIMINAL APPLICATION (BA) 467 OF 2018

(Mahesh Padmakar Barwat..vs..State, thr PSO PS Frezarpura)

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

Court's or Judge's orders.

Shri M.N. Ali, counsel for the applicant.
Shri N.H. Joshi, APP for State.

CORAM: ROHIT B. DEO, J.

DATE: 18th June, 2018.

Heard.

2 The applicant is in custody since 8.12.2017 in connection with Crime 977 of 2017 registered at the Police Station, Frezarpura, Amravati for offence punishable under section 307, 147, 148, 149, 504, 506 of the Indian Penal Code read with section 135 of the Bombay Police Act.

3 The case of the prosecution is that one Pravin Kale was driving the motorcycle with speed and the applicant was the pillion rider. The alleged rash driving was objected to by the complainant. This is the prelude to the altercation. The injured complainant was inflicted a single stab blow by one Golu Thapa. The role attributed to the present applicant is that he and the other three co-accused held the complainant and all exhorted Golu to kill the complainant.

4 The chargesheet is filed. It is not the case of the prosecution that there are any criminal antecedents against the applicant. Prima facie, what appears from the

statements is that identical role is attributed to four accused that is of holding the complainant and in unison exhorting Golu to inflict the stab wound.

5 In the light of the accusations and the material on record and particularly in view of the fact that there are no criminal antecedents, I am inclined to allow the application.

6 The applicant shall be released on furnishing personal bond of Rs. 15,000/- with a solvent surety of like amount.

7 The applicant shall report Police Station, Frezarpura, Amravati on Saturday once in a month between 10.00 a.m. to 12.00 p.m. till the conclusion of the trial.

8 The applicant shall not enter the territorial limits of Amravati City till the conclusion of the trial except to attend the Court hearing.

9 The applicant shall not tamper with the evidence nor shall attempt to influence the witnesses in any manner.

JUDGE

RS Belkhede