

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

CRIMINAL APPLICATION (BA) NO.549 OF 2018

(Rahul s/o Arun Shende Vs. State of Maharashtra thr. PSO PS Hinganghat, Dist.
Wardha)

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

Court's or Judge's orders.

Shri A.M. Jaltare, Advocate for Applicant.
Shri N.H. Joshi, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 4th JULY, 2018.

The applicant is arrested in connection with Crime 313/2014 registered with Police Station Hinganghat, District Wardha for offence punishable under section 364-A of the Indian Penal Code.

The submission, and the 164 statement of the child is brought to my notice to buttress the said submission is that ultimately even if the applicant is convicted, the conviction may be under section 363 for which the maximum punishment is seven years. The applicant has already spent four years in custody and he is ready to abide by any condition, is the further submission.

Shri N.H. Joshi, the learned A.P.P. points out that a note demanding ransom is recovered and seized. If the material on record translates into evidence there is no reason why the applicant shall not be convicted under section 364-A of the IPC.

The applicant is in custody since four years and although the charge is framed the trial is yet to commence.

In this view of the matter, I do not consider it appropriate that the applicant should languish in jail till the conclusion of the trial.

The application is allowed.

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

The applicant shall attend the dates of hearing regularly and shall co-operate in expeditious disposal of the trial.

The applicant shall not enter the territorial limits of Hinganghat till the conclusion of the trial except to attend the court hearing.

The application is disposed of accordingly.

JUDGE