

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

CRIMINAL APPLICATION (BA) NO.666 OF 2018

(Suyog s/o Girdharrao Sawarkar ..vs.. State of Maharashtra, through PSO, PS Shendurjana Ghat,
Amravati)

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

Court's or Judge's orders

Shri U.R. Phasate, Counsel for the applicant,
Shri N.B. Jawade, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 27-07-2018

The applicant is arrested in Crime 85/2018 registered with Shendurjana Ghat Police Station, Amravati for offences punishable under Sections 302, 120-B, 109 and 201 of the Indian Penal Code.

2. The case of the applicant is that one Nilesh Wamanrao Thakare was killed between 21-5-2018 and 22-5-2018 by two co-accused namely Devendra Narayan Birkad and Dinesh Uike. The prosecution version is that the deceased was killed at the instance of co-accused Gopal Yewale and Nilesh Radake and the applicant. Concededly, the motive is some financial dispute between the deceased and Gopal Yewale.

3. In so far as the role of the present applicant is concerned, he is alleged to be a part of the conspiracy to do away with Nilesh Thakare. The material which is relied upon by the prosecution in support of the theory of

conspiracy is a confessional statement of co-accused Devendra Birkad. At least at this stage, apart from the said material there does not appear to be any other material to connect the applicant with the alleged conspiracy.

4. In this view of the matter, the application is allowed.

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

6. The applicant shall attend the Shendurjana Ghat Police Station as when when required by the Investigating Officer.

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

JUDGE

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