

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

CRIMINAL APPLICATION (BA) NO. 1033 OF 2018

(Prakash Panjabrao Matale vs. State of Maharashtra thr. PS, Kholapur, Tah. & District -
Amravati)

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

Court's or Judge's orders.

CORAM : M.G. GIRATKAR, J.
DECEMBER 05, 2018.

Heard Shri H.M. Bobade, learned counsel for the applicant.

2. The applicant was arrested on 21.07.2018, since then he is behind the bar.

3. The investigation is complete and charge sheet is filed in the trial Court. He has submitted that his application is rejected on the ground that he is residing in the same locality and there is every possibility of tampering with the evidence.

4. The learned counsel for the applicant submits that the applicant is ready to reside outside the village – Budhgad, Tq. Bhatukali, District – Amravati.

5. Shri C.A. Lokhande, learned APP for the respondent – State is strongly objecting the application.

6. Perused the First Information Report. From the persual of the same, it is clear that the applicant made attempt and not did anything more. The application came to be rejected by the Additional Sessions Judge, Amravati, on the ground that the applicant is residing in the same

locality and there is every possibility of tampering with the evidence.

7. If the applicant is directed to reside outside the village – Bhatukali, the purpose of the prosecution will be sub-served. Hence, the following order :

The application is allowed. The applicant be released on executing P.R. Bond of Rs.25,000/- with a solvent surety of like amount on the following conditions :

(i) The applicant shall not enter the village – Budhgad, Tq. - Bhatukali, District – Amravati, till the completion of trial.

(ii) He shall not make any attempt to threaten the witnesses/ tamper with the prosecution witnesses.

(iii) He shall not leave the jurisdiction of trial Court without prior permission.

(iv) He shall attend on each and every date before the trial Court.

(v) The applicant shall furnish his residential address and mobile number to the PSO, Kholapur.

(vi) Breach of any above condition will amount to cancellation of bail.

JUDGE

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