

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR
CRIMINAL APPLICATION (ABA) NO.922/2017
Gajanan Vithal Gaikwad
..vs..
State of Mah., thr. PSO Khamgaon (City), District Buldana

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

Court's or Judge's Order

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Shri A.S. Agrawal, Counsel for the applicant.
Shri T.A. Mirza, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.
DATED : JANUARY 16, 2018.

1. Heard learned counsel Shri A.S. Agrawal for the applicant and learned Additional Public Prosecutor Shri T.A. Mirza for the State, *in extenso*.
2. Order was passed by this Court on 22.12.2017 and granted *ad interim* anticipatory bail in favour of the applicant with a direction to file an additional affidavit on behalf of the prosecution agency.
3. Shri Ramesh s/o Janaba Patil, Deputy Superintendent of Police, CID Buldhana has filed the additional affidavit on record.
4. Learned Additional Public Prosecutor Shri T.A. Mirza for the State, from the instructions of Shri Ramesh s/o Janaba Patil, Deputy Superintendent of Police, CID Buldhana, has made a categorical statement that as on today there is no concrete material against the applicant in respect of injuries culminating into death of

Suresh.

5. The additional affidavit also shows that the investigating officer is thoroughly making investigation with the police officers and also with the jail authorities.

6. Since as on today there is no concrete material to curtail the personal liberty of the applicant, in my view, ends of justice can be met with by passing the following order:

ORDER

(i) The criminal application is allowed.

(ii) In the event of arrest of applicant Gajanan Vithal Gaikwad, in connection with Crime No.623 of 2017 registered with Police Station Khamgaon (City), District Buldana for the offences punishable under Sections 302, 143, and 147 of the Indian Penal Code, the applicant be released on bail on he executing a P.R. Bond in the sum of Rs.50,000/- with two solvent sureties of the like amount.

(iii) The applicant shall attend the office of the Deputy Superintendent of Police, CID Buldana initially on 27.1.2018, 28.1.2018, and 29.1.2018 and shall be with the investigating officer from 11:00 a.m. to 5:00 p.m..

.....3/-

(iv) The applicant is further directed to attend the office of the investigating officer as and when he is called by the investigating officer by giving him 48 hours clear-cut written notice.

(v) It is made clear that if during the course of the investigation on various angles of the case, if concrete material is available against the applicant, it shall be opened for the investigation officer to file an application for cancellation of bail before this Court.

(vi) With this, the criminal application is allowed and dispose of.

JUDGE

!! BRW !!

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