

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

CRIMINAL APPLICATION (BA) NO.14 OF 2019

(Jitu @ Jitendra Abhiman Dadmal Vs. State of Maharashtra thr. PSO PS Girad, Tq.
Samudrapur, 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 S.V. Sirpurkar, Advocate for Applicant.
Shri B.M. Lonare, APP for Respondent/State.

CORAM: M.G. GIRATKAR, J.

DATE: 25th FEBRUARY, 2019.

Heard learned Advocate Shri S.V. Sirpurkar for the applicant.

2] Perused the statement of witnesses. From the perusal of statement of witnesses deceased went to his house and brought axe to kill the applicant, the applicant tried to resist by stick the deceased tried to give blow, the applicant obstructed by the stick, stick was broken therefore, applicant gave blow of stick on the head of deceased and therefore, deceased died. It appears that deceased was having a dangerous weapon i.e. iron axe and tried to give blow to the applicant. Applicant tried to save his life and therefore, he obstructed by stick. The stick was broken into two pieces and by one piece the applicant gave blow. Therefore, whether it is an offence punishable under section 302 or other offence is to be decided by the trial court. Looking to the statement of witnesses on record applicant is

entitled for bail. Hence, the following order:

- [i] The application is allowed.
- [ii] The applicant be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one solvent surety in like amount on following conditions.
 - [a] The applicant shall not tamper the evidence of prosecution witnesses.
 - [b] The applicant shall not leave the jurisdiction of trial Court without prior permission.
 - [c] The applicant shall attend the trial Court on each and every date.
 - [d] Breach of any condition amounts to cancellation of bail.

JUDGE