

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

CRIMINAL APPLICATION (BA) NO. 75 OF 2019

(Abhinav @ Kannu Omprakash Nikhar .v. State of Maharashtra and another)

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

Court's or Judge's Orders

Shri M.N. Ali, Advocate for the applicant.
Shri H.R. Dhumale, APP for the respondent/State.
Shri A.S. Ambatkar, Advocate for the complainant.

CORAM : M.G. GIRATKAR, J.
14TH FEBRUARY, 2019.

CRIMINAL APPLICATION (APPP) NO. 221 OF 2019.

Heard.

Looking to the grounds mentioned in the
application, the application is allowed.

Permission is granted to assist the prosecution.

CRIMINAL APPLICATION (BA) NO. 75 OF 2019.

Heard.

Perused the report lodged by the complainant/
injured on 18.08.2018 alleging that the deceased and
complainant were beaten by the accused. But, he has not
stated the name of the present applicant in the report. On the
same day, his statement was recorded and he implicated the
present applicant/accused. At the time of lodging of report,
the complainant was in a good condition. There is no evidence
to show that he has suffered grievous injury and was not in a
position to state before the police.

As per the submission of learned APP, the
complainant himself taken the deceased to the hospital.

Supplementary statement appears to be doubtful.

Hence, the following order.

In the result, the application is allowed. The applicant be released on bail on furnishing PR bond of Rs. 25,000/- (rupees twenty-five thousand only) with one solvent surety in the like amount, on the following conditions.

The applicant shall not reside within the vicinity of prosecution witnesses.

The applicant shall not tamper the evidence of prosecution witnesses.

The applicant shall attend the trial Court on each and every date.

The applicant shall not leave the jurisdiction of trial Court without prior permission.

Breach of any of the conditions, amounts to cancellation of bail.

JUDGE

*rrg.