

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

CRIMINAL APPLICATION (BA) NO.135/2019

Rameshwar Punjab Rathod

..VS..

The State of Mah., thr. PSO Police Station Awdhutwadi, District Yavatmal

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

Court's or Judge's Order

.....
Shri M.N.Ali, Counsel for the applicant.
Shri S.A.Ashirgade, Addl.P.P for the State.

CORAM : M.G.GIRATKAR, J.

DATED : MARCH 13, 2019.

1. Heard learned counsel Shri M.N.Ali for the applicant and learned Additional Public Prosecutor Shri S.A.Ashirgade for the State.
2. Learned counsel for the applicant points out statement of injured. As per the statement of injured, one Doma stabbed on stomach. Devidas caused injury by sword. One Rameshwar thrown chilly powder. In view of that, his statement does not show offence under Section 307 read with Section 34 of the Indian Penal and read with Sections 4 and 25 of the Arms Act registered against the accused persons.
3. According to learned counsel for the applicant, investigation is complete and chargesheet is filed.
4. Learned Additional Public Prosecutor Shri S.A.Ashirgade for the State strongly objected the present application. He submits that Investigating Officer fired a

bullet to save life of police officers.

5. Perusal of statement of the injured it appears that the present applicant has not taken any active part in commission of crime

6. In that view of the matter, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) The applicant be released on bail on he executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall not tamper with evidence of prosecution witnesses.

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

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

(vi) With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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