

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

CRIMINAL APPLICATION (BA) NO.196/2019

Swapnil s/o Nitin Wankhede

..VS..

The State of Mah., thr. PSO PS Murtizapur, (City), District Akola

.....
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 R.M.Daga, Counsel for the applicant.
Mrs.M.H.Deshmukh, Addl.P.P. for the State.

CORAM : M.G.GIRATKAR, J.

DATED : MARCH 13, 2019.

1. This is an application under Section 439 of the Code of Criminal Procedure for grant of bail.
2. Heard learned counsel Shri R.M.Daga for the applicant and learned Additional Public Prosecutor Mrs.M.H.Deshmukh for the State.
3. Learned counsel Shri R.M.Daga for the applicant submits that the applicant was in vehicle and has not taken any active part in commission of crime. According to him, role of the present applicant is as like Vaibhav Ganeshpure, who is released on bail by learned Judge below on 4.2.2019. Therefore, he prays that the applicant be released on bail.
4. Learned Additional Public Prosecutor Mrs.M.H.Deshmukh for the State strongly objected the present application.
5. Perused say of Investigating Officer filed before

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learned Judge of the Court below. As per say, the present applicant was in vehicle. Role of the present applicant is as like Vaibhav who is released on bail by learned Judge of the Court below. Other accused are also released on bail.

6. The case of the prosecution is based on circumstantial evidence. There is no eyewitness to the incident in question. Hence, I pass following order:

ORDER

(i) The criminal application stands allowed.

(ii) Applicant-Swapnil s/o Nitin Wankhede, in connection with Crime No.267/2018 registered with Police Station Murtizapur, (City), District Akola for offences under Sections 302, 201, 363, 364, and 120(B) read with Section 34 of the Indian Penal Code, 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.

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

JUDGE

!! BRW !!