

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

Criminal Application (BA) No. 273 of 2019
(Ravi Motilal Jawarkar Vs. State of Maharashtra)

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

Court's or Judge's orders

Ms. Vidya Umale, Advocate for the applicant
Shri S. D. Sirpurkar, APP for the State/non-applicant

CORAM : M. G. GIRATKAR, J.

DATED : 29/04/2019

Heard learned Advocate Ms. Umale for the applicant.

2. Shri Sirpurkar, learned Additional Public Prosecutor for the State has strongly objected the present application.

3. The case of prosecution is based on circumstantial evidence. Last seen theory is not specific. Students of the school were not knowing the applicant. The Head Master of the school not stated definitely that the applicant taken the deceased on motor-cycle. Sister of the deceased has stated that the applicant threatened her on 03.04.2019, i.e. the day before the incident. Except that there is no other evidence by the side of the prosecution. When the case is based on circumstantial evidence, the prosecution has to prove each and every circumstances implicating the accused. Hence, the following order.

4. Criminal Application is allowed.

5. The applicant be released on bail on his executing a P.R. Bond in the sum of Rs.25,000/- with one solvent surety of the like amount on the following conditions.

- (a) The applicant shall not tamper with the evidence of prosecution witnesses.
- (b) The applicant shall attend the trial Court on each and every date.

JUDGE

SMG