

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

Criminal Application (BA) No. 295 of 2019

(Kiran s/o Narayan Durge 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

Shri A.C. Jaltare, Advocate for the applicant
Shri A. R. Chutke, APP for the State/respondent

CORAM : M. G. GIRATKAR, J.

DATED : 29/04/2019

Heard learned Advocate Shri Jaltare for the applicant.
He has submitted that except last seen, there is nothing on record
to implicate accused.

2. Shri Chutke, learned Additional Public Prosecutor for
the State has strongly objected the present application and
submitted that the present applicant was alongwith main accused -
Prem Dangre. The main accused committed murder. Cause of
death as per Post-Mortem report was strangulation and, therefore,
applicant is not entitled for bail.

3. Learned counsel for the applicant has further submitted
that main accused is Prem Dangre and not the present applicant.
Even the confessional statement of the accused taken into
consideration, then also, it appears that the present applicant did
not cause the death of the deceased. The accused-Prem Dangre
caused the death of the deceased by strangulation. 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 live in village Marpalli, Tq. Aheri, Dist. Gadchiroli till the decision of the trial.

(b) The applicant shall give his residential address, mobile number etc. to Police Station, Jamalgatta, Tq. Aheri, Dist. Gadchiroli and also to the nearest police station wherever he will reside.

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

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

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

(f) Breach of any of the conditions amounts to cancellation of bail.

JUDGE