

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

Criminal Application (BA) No.422/2019.

(Mahesh S/o Shivdas Uike & Anr. Vs. The State of Maharashtra)

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

Court's or Judge's Orders.

Shri Juned Ahmed, Advocate for applicants.
Shri N.B.Javade, APP for non-applicant/State.

CORAM : Z. A. HAQ, J.

DATE : 08.05.2019.

1. After arguing for sometime, the learned Advocate for the applicant no.1 stated that the application of applicant no.1 – Mahesh Shivdas Uike is not pressed.

2. As far as the applicant no.2 is concerned, he is arrested on 05/02/2019, in connection with Crime No. 96/2019, registered against the applicants and three others for offences punishable under Sections 307 and 333 r/w Section 34 and Section 353 of the Indian Penal Code and Section 184 of the Motor Vehicles Act, 1988.

3. The accusations against the applicants are that at the time of incident, the policeman gave signal to stop the Truck which was driven by the applicant no.1 – Mahesh. However, the driver went ahead and then the policeman followed the Truck and stopped it and when Shri Yogiraj Wanjari stepped on the step of the Truck to enquire from the Truck driver i.e. applicant no.1 as to why he had not stopped the Truck, he was pushed because of which he fell on the ground and suffered injuries and then the Truck was taken further by the applicant no.1.

4. It is not in dispute that the applicant no.2, at the relevant time, was working as a Cleaner on the Truck. The

applicant no.2 is aged about 23 years. The learned Advocate for the applicant no.2 and the learned APP have stated that chargesheet is filed on 03/05/2019.

5. In the above facts, in my view, the applicant no.2 is entitled for release on bail. Hence the following order:-

1. The applicant no. 2 – Narendra s/o Anaklal Viswakarma having been arrested in connection with Crime No. 96/2019, registered with the non-applicant, be release on bail on executing P.R. bond for Rs.25,000/- and furnishing one solvent surety in the like amount.

2. The applicant shall attend the trial on every date unless granted exemption by the trial Court.

3. The trial Court shall dispose the trial within six months.

6. The criminal application of applicant no.2 – Narendra Anaklal Vishwakarma is allowed accordingly.

7. The criminal application of applicant no.1 – Mahesh Shivdas Uike is disposed as withdrawn.

JUDGE