

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

Criminal Application (BA) No.531 of 2019
(Vishal @ Buntty s/o Narayan Shriwastav .vs. State of Maharashtra through
PSO PS Adyal, Dist. Bhandara.)

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

Ms. Karishma Gavai, Advocate for Applicant
Mr. M.J. Khan, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : July 25, 2019.

The applicant herein has approached this Court for grant of bail as he stood arrested on 14.01.2019 in connection with first information report dated 08.01.2019 for offences under Sections 302 and 201 of the Indian Penal Code.

2. The learned counsel appearing for the applicant points out that the FIR in the first instance was registered against unknown persons. The complainant, who is brother of the deceased, had approached the Police when the dead body of his brother was found.

3. Upon investigation, the Police found material against five accused persons, including the applicant herein, as being responsible for the death of the victim. The accused persons include the son and the wife of the deceased. The other accused persons are a friend of the son and the applicant herein, as also another person.

4. In the present case, the applicant is sought to be connected with the incident in question on the basis of a statement of co-accused, who claims that the applicant had instructed him to do away with the victim. Another statement that purportedly connects the applicant with the incident is a waiter working in the Bar where the applicant is supposed to have met the aforesaid co-accused person who was stated to be engaged to kill the victim. Other than the aforesaid material, at present, there does not appear to be anything on record against the applicant. The reply filed on behalf of the non-applicant/State does not show any criminal antecedents of the applicant.

5. Considering the aforesaid material and the fact that the applicant has been behind bars for more than six months, this Court is of the opinion that the present application can be allowed.

6. Accordingly, the present application is allowed and the applicant is directed to be released on bail on the following conditions:-

- a) The applicant shall furnish P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand) and a surety in the like amount.
- b) The applicant shall attend the proceedings before the trial Court on each and every date.
- c) The applicant shall not influence witnesses.

7. Needless to say that violation of any of the

conditions noted above, may lead to cancellation of bail granted to the applicant. It is clarified that the observations made in this order are limited to the question of grant of bail to the applicant.

JUDGE

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