

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

CRIMINAL APPLICATION (BA) NO.599/2019

Vasanta s/o Manohar Zilpe

..VS..

State of Mah., thr. PSO Pavni, District Bhandara

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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 O.K.Masurke, Counsel for the Applicant.
Shri A.S.Dhore, Counsel to assist the Prosecution.
Shri M.J.Khan, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : AUGUST 28, 2019.

1. Heard learned counsel Shri O.K.Masurke for the applicant, learned counsel Shri A.S.Dhore who was permitted to assist the prosecution, and learned Additional Public Prosecutor Shri M.J.Khan for the State.

2. The present applicant was arrested along with his brother Pralhad in connection with Crime No.139/2018 registered with Pavni Police Station, District Bhandara for offences under Sections 302 and 341 read with Section 34 of the Indian Penal Code.

3. As per the prosecution, a civil dispute was going on between the applicant and deceased in respect of execution of sale-deed of agricultural land. According to the prosecution, though the accused persons agreed to sell agricultural land by accepting Rs.5,10,000/-, they failed to

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execute sale-deed. Consequently, the deceased filed a civil suit for specific performance of contract against the present applicant and co-accused Pralhad before competent Civil Court.

4. Application of co-accused was considered favourably by this Court (Coram : Z.A.Haq, J.) on 10.10.2018 and in pursuance to the order undisputedly wife of co-accused Pralhad furnished cash security of Rs.5,10,000/- to release the said accused.

5. In the present case, investigation is over and chargesheet is already filed. There a civil suit is going on. The co-accused is already released on bail.

6. In this view of the matter, I pass following order.

ORDER

(i) The criminal application is allowed.

(ii) Applicant-Vasanta s/o Manohar Zilpe, in connection with Crime No.139/2018 registered with Pavni Police Station, District Bhandara for offences under Sections 302 and 341 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.50,000/- with one solvent surety of the like amount to the satisfaction of learned Additional Sessions Judge at Bhandara.

(iii) The applicant is directed to attend the police station once in a month, till the Trial is over.

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

JUDGE

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