

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

Criminal Application (BA) No. 618 of 2019

Manohar @ Mohan Shravan Karokar

Vs.

State of Maharashtra, through P.S.O. Koradi, Nagpur.

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

Court's or Judge's orders

Ms. Sunita A. Bagde, Advocate for the applicant
Mrs. Swati V. Kolhe, APP for the State/non-applicant

CORAM : M. G. GIRATKAR, J.

DATED : 20/08/2019

Heard learned Counsel Ms. Bagde for the applicant and
Mrs. Kolhe learned APP for the State/non-applicant.

2] Perused the report. As per report, incident took place on 25.06.2018. There was quarrel on the ground of land. The applicant alongwith other accused taken one JCB near the cattle shade of complainant. Other accused, namely, Vinod, Vasudeo, Mangesh, Pravin and Lucky Sardar were with the applicant. The applicant started demolishing the hut. The complainant, his son and wife of the complainant tried to intervene, but all accused not listen them and started abusing them. The accused-Vasudeo gave blow of iron pipe on the head of the complainant. All the accused beat them by wooden stick. Complainant caught hold the wooden stick of Vasudeo and Vinod, at that time accused – Lucky Sardar

gave blow of wooden stick on right hand of the complainant. The applicant gave blow of iron pipe on the head of the deceased - Mangesh. Deceased - Mangesh died in an incident.

3] On the report of the complainant, crime was registered for offences punishable under Sections 302, 326, 143, 147, 148, 149 and 504 of IPC. After investigation, the charge-sheet is filed. As per the submission of learned Counsel Ms. Bagde, all other accused are released on bail except the present applicant. Earlier bail application was withdrawn on 29.04.2019. The role of the present applicant is like other accused who also beat the complainant. Blow given by the present applicant on the head of deceased - Mangesh was fatal. Whether there was any intention to kill or not is to be decided by the trial Court. It appears that there was quarrel on ground of land.

4] Hence, the criminal application is **allowed**.

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

(a) He shall not tamper with the evidence of prosecution witnesses.

- (b) He shall not leave the jurisdiction of the trial Court without prior permission.
 - (c) He shall attend the trial Court on each and every date.
 - (d) Breach of any of the conditions amounts to cancellation of bail.
- 6] Accordingly, the criminal application is disposed of.

JUDGE