

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

CRIMINAL APPLICATION (BA) NO.627/2019

Maharaja s/o Kadiappa Bhosle and anr

..VS..

State of Mah., thr. PSO PS Pandharkawda, District Yavatmal

.....
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 R.M.Daga, Counsel for Applicants.
Shri N.R.Rode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : AUGUST 28, 2019.

1. Heard learned counsel Shri R.M.Daga for applicants and learned Additional Public Prosecutor Shri N.R.Rode for the State. Also, perused copy of chargesheet.
2. After hearing learned counsel Shri R.M.Daga for applicants and when the Court expressed its opinion that application of applicant No.1-Maharaja s/o Kadiappa Bhosle will be rejected, learned counsel submitted that he wishes to withdraw application relating to applicant No.1-Maharaja s/o Kadiappa Bhosle.
3. Insofar as applicant No.2-Nimbol s/o Kadiappa Bhosle is concerned, his name is not figuring either in First Information Report lodged by Police Sub Inspector Mangesh Ramdas Bhongade who was assaulted by co-accused Dilip Shamla Pawar and when he was apprehended, he disclosed name of other co-accused and not name of present applicant

No.2.

4. Be that as it may, even as per the prosecution case, as per information received, only 3 persons were suspected and for nabbing them police party was dispatched from police station.

5. Against applicant No.2, there is no material insofar as present crime is concerned. He may be accused in some other crimes, however only because of that when there is no material insofar as present crime is concerned, he need not to continue in jail. Consequently, I pass following order:

ORDER

(i) The criminal application is partly allowed.

(ii) The criminal application of applicant No.1-Maharaja s/o Kadiappa Bhosle, is dismissed as withdrawn.

(iii) The criminal application of applicant No.2-Nimbol s/o Kadiappa Bhosle is allowed.

(iv) Applicant No.2-Nimbol s/o Kadiappa Bhosle, be released on bail on his executing a P.R.Bond in the sum of Rs.50,000/- with two solvent sureties of the like amount, in connection with Crime No.203/2018 registered with Police Station Pandharkawda, District Yavatmal for offences under Sections 353, 307, 333, 332, 186, and 189 read with Section 34 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act and under Section 135 of the Bombay Police

.....3/-

Act.

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

JUDGE

!! BRW !!

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