

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

CRIMINAL APPLICATION (BA) NO.641/2019

Anil s/o Vyankoba Shidam Vs. State of Maharashtra, through PSO, P.S.
Karanja, Dist. Washim.

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

Court's or Judge's orders.

Mr. S.K. Wankhede, Advocate for appellant.
Mr. V.A. Thakre, A.P.P. for non applicant / State.

CORAM : V. M. DESHPANDE, J.
DATED : AUGUST 29, 2019

Heard Mr. S.K. Wankhede learned counsel for the applicant and Shri V.A. Thakre learned Additional Public Prosecutor for non-applicant/State.

This is an application for regular bail, since, the applicant is arrested in connection with Crime No. 70/2018 registered with Police Station, Karanja Tq. Karanja, Dist. Washim for the offence punishable under Sections 302 of Indian Penal Code.

The investigation is over and the charge-sheet is already filed. There is no eye witness in the entire prosecution case. The case of the prosecution is based on circumstantial evidence. The circumstances which the learned Additional Public Prosecutor submitted and which are found in the prosecution case against the applicant are that one Dyaneshwar an autorickshaw driver saw the applicant lastly in company of the deceased Tarabai and another is memorandum statement of the applicant under

which he agreed to show the place where “*Dupatta*” which according to prosecution was the instrument to strangle the deceased, was kept.

Looking to the aforesaid circumstances, in my view, when the investigation is over and charge-sheet is filed the applicant need not continue his further custodial presence. Consequently, I pass following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant- Anil s/o Vyankoba Shidam, be released on bail, in connection with Crime No. 70/2018 registered with Police Station, Karanja Tq. Karanja, Dist. Washim for the offence punishable under Sections 302 of Indian Penal Code, on he executing P.R. Bond in the sum of Rs.50,000/- with one solvent surety of the like amount.
- (iii) Applicant is directed to attend Police Station, Karanja, once in a month i.e. on every 3rd Sunday till culmination of the trial.
- (iv) The applicant shall not prejudice the witnesses.
- (v) Applicant is directed not to enter into territorial jurisdiction of Wadgaon village wherein most of the prosecution witnesses are residing, until completion of the trial.
- (vi) With this, the application is allowed and disposed of.

JUDGE