

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

CRIMINAL APPLICATION (BA) NO.689/2019

Nipur s/o Rajendra Dangat

..VS..

The State of Mah., thr. PSO PS Ramnagar, Tahsil and District Wardha

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

Court's or Judge's Order

.....
Shri A.S.Manohar, Counsel for the Applicant.
Shri S.S.Doifode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : AUGUST 28, 2019.

1. Heard learned counsel Shri A.S.Manohar for the applicant and learned Additional Public Prosecutor Shri S.S.Doifode for the State. Also, perused reply filed on behalf of the State opposing the present application for grant of bail.
2. The applicant is arrested on 8.3.2019 in connection with Crime No.148/2019 registered with Ramnagar Police Station, District Wardha for offence under Section 302 read with Section 34 of the Indian Penal Code.
3. Reply shows that investigation is over and chargesheet is filed on 3.6.2019. As per reply, the prosecution case is that on 6.3.2019 Umesh, the deceased, along with his friends reached near Raviraj Panthela. At that time, the applicant and co-accused came there. According to the prosecution case, role of the present applicant is that he hold hands of Umesh and at that time co-accused Pappu gave a knife blow, resulting into death of Umesh.

4. Learned Additional Public Prosecutor Shri S.S.Doifode for the State, submitted that except the aforesaid role, no role is attributed against the present applicant. He submitted that weapon is seized at the best of the main accused who assaulted Umesh by means of knife.

5. Looking to the nature of the role played by the applicant, investigation is over, chargesheet is filed, and the applicant is in jail from March 2019, in my view, further custodial presence of the applicant is not required. That leads me to pass following order:

ORDER

(i) The criminal application is allowed.

(ii) Applicant-Nipur s/o Rajendra Dangat, in connection with Crime No.148/2019 registered with Ramnagar Police Station, District Wardha for offence under Section 302 read with Section 34 of the Indian Penal Code, be released on bail on his executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant is directed to attend the police station on 3rd Sunday of every month, till the Trial is over.

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

JUDGE

!! BRW !!

...../-