

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

CRIMINAL APPLICATION (BA) NO. 698/2019

Gaurav Diwakar Thakre and anr. .vs. State of Maharashtra through PSO
P.S. Mahuli, Dist. Amravati (Rural)

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

Court's or Judge's orders.

Mr. R. D. Wakode, Advocate for applicants.
Mr. J. Y. Ghurde, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : AUGUST 26, 2019

Heard Mr.Wakode, learned counsel for applicants
and Mr. Ghurde, learned A.P.P. for non applicant-State.

Both the applicants are arrested on 01.04.2019
in connection with Crime No.80/2019, registered with Police
Station, Mahuli, Dist. Amravati (Rural), for an offence
punishable under Section 307 read with Section 34 of the
Indian Penal Code.

The investigation is over and charge-sheet is
already filed. The FIR is lodged on 31.03.2019 in respect of
the incident dated 31.01.2019 itself. From the FIR, it is clear
that no overt act is attributed to applicant no.1-Gaurav.

Application of Gaurav is opposed by learned
A.P.P. on the ground that he has criminal antecedents.
Applicant no.1 is accused of an offence under the Gambling
Act, under Section 354-A of the IPC, which is bailable
offence and under Section 306 of the IPC. However, it has
nothing to do with the present crime.

Insofar as case of applicant no.2-Pankaj is concerned, though specific allegations are made against him, in the prosecution case that he has assaulted on injured by means of knife, in my view, looking to the fact that the entire investigation is over, charge-sheet is filed and the injured is already discharged from hospital on 04.04.2019 and now there is no chance that the offence will be further aggravated, he can be released on bail.

In that view of the matter, I pass following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant no.1-Gaurav Diwakar Thakre and applicant no.2-Pankaj Diwakar Thakre be released on bail in connection with Crime No.80/2019, registered with Police Station, Mahuli , Dist. Amravati (Rural), for an offence punishable under Section 307 read with Section 34 of the Indian Penal Code, on they executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.
- (iii) The applicants shall attend Police Station once in a week till the trial is over.
- (iv) The applicant shall not try to influence or pressurize the prosecution witnesses.

The application is disposed of.

JUDGE