

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

CRIMINAL APPLICATION (BA) NO.838/2019

Haribhau Nilkanthrao Dandale .vs. State of Maharashtra through PSO P.S.
Ramnagar, Wardha.

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

Court's or Judge's orders.

Mr. U. P. Dabale, Advocate for applicant.

Mr. N. B. Jawade, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : SEPTEMBER 19, 2019

Heard Mr. Dabale, learned counsel for applicant
and Mr. Jawade, learned A.P.P. for non applicant-State.

The applicant is arrested in connection with
Crime No.144/2019 registered with Police Station
Ramnagar, Nagpur for an offence punishable under Sections
302, 143, 147, 148, 149 of the Indian Penal Code. The
investigation is over and charge-sheet is already filed. The
deceased in this prosecution is Prashant alias Dadya. The
FIR is lodged by his mother Jijabai on 04.03.2019. From the
FIR, it is clear that the first informant is not an eye witness
and she reported, in view of the information disclosed to her
by one Pundlik Nehare. Statement of Pundlik Nehare is part
and parcel of the charge-sheet. The statement does not
reveal that he is also an eye witness and his statement would
show that he got the information from the residents of the
village. None of the prosecution witnesses is
taking name of the present applicant.

In view of the aforesaid nature of the evidence and when the investigation is over, the applicant can be released on bail. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Haribhau Nilkanthrao Dandale be released on bail in connection with Crime No.144/2019 registered with Police Station Ramnagar, Nagpur for an offence punishable under Sections 302, 143, 147, 148, 149 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.50,000/- with one solvent surety in the like amount.
- (iii) During the pendency of trial, applicant shall not enter the territorial jurisdiction of village Pimpri Meghe.
- (iv) Applicant is directed to furnish his residential address before the Court below at the time of execution of bail bonds. The applicant is directed to attend Police Station, Ramnagar, once in a week i.e. on every Sunday of each week between 11:00 a.m. to 02:00 p.m. till culmination of trial.

The application is disposed of.

JUDGE