

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

CRIMINAL APPLICATION (BA) NO.877/2019

Satyendra s/o Purushottam Nagdeve .vs. State of Maharashtra through PSO
P.S. Adyal, Tq. Pauni, Dist. Bhandara

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

Court's or Judge's orders.

Mr. V. D. Muley, Advocate for applicant.

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

CORAM : V. M. DESHPANDE, J.

DATED : OCTOBER 1, 2019

Heard Mr. Muley, learned counsel for applicant
and Mr. Jawade, learned A.P.P. for non applicant-State.
Also perused the reply.

Applicant is arrested in connection with Crime
No.71/2019, registered with Police Station, Adyal, Tq.
Pauni, Dist. Bhandara for an offence punishable under
Section 307 of the Indian Penal Code. Applicant is arrested
on 22.04.2019 and since then he is in jail. The investigation
is over. Charge-sheet is also filed on 19.07.2019 before the
learned jurisdictional Magistrate.

As per prosecution case, as it could be seen from
the reply, the injured who lodged the report i.e. Ajit Kodape
was having illicit relations with wife of present applicant and
she was residing with said Ajit at his house at Adyal for last
few days. Therefore, on the day of incident i.e. on
17.04.2019 at about 07:00 p.m., applicant went to Adyal to
take his wife. At that time, according to prosecution, there

arose a dispute and the applicant assaulted on the injured by means of knife.

During investigation, knife is seized. Complainant was an indoor patient from 18.04.2019 and he stood discharged from the hospital on 26.04.2019. In view of said, it is crystal clear that offence cannot turn into graver one.

Since there is no possibility of the trial being conducted in immediate future, looking to the fact that entire investigation is over and applicant is not resident of Adyal, where the injured resides, applicant can be released on bail. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Satyendra s/o Purushottam Nagdeve be released on bail in connection with Crime No.71/2019, registered with Police Station, Adyal, Tq. Pauni, Dist. Bhandara for an offence punishable under Section 307 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.
- (iii) Applicant is directed to attend Police Station, Kamptee once in three months, till culmination of trial.

The application is disposed of.

JUDGE