

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

CRIMINAL APPLICATION (BA) NO.936/2019

Nikhil s/o Uttamrao Uike .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. S. S. Doifode, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : OCTOBER 16, 2019

Heard Mr.Dable, learned counsel for applicant
and Mr. Doifode, learned A.P.P. for non applicant-State.
Also perused the reply and charge-sheet placed on record.

Applicant was arrested on 05.03.2019 in
connection with Crime No.144/2019 registered with Police
Station, Ramnagar, Wardha for an offence punishable under
Sections 302, 143, 147, 148 and 149 of the Indian Penal
Code. In this prosecution case, one Prashant alias Dadya
was done to death by the accused persons, is the allegation
made against 11 accused persons, who are charge-sheeted
by the investigating officer.

First Information Report dated 04.03.2018 was
filed by Jijabai, mother of Prashant alias Dadya. She is not
the eye witness. During the course of investigation,
investigating officer has recorded statement of one Sachin,
who is the eye witness. Statement of Raju Gaikwad, is also
recorded on 05.03.2019 i.e. on the next date of registration

of the crime. It shows that the co-accused Praful and Suresh were searching for Dadya and at that time, Suresh was having stick in his hand. Statement of Satish is dated 12.03.2019 and in that, name of present applicant is taken along with one Suryakant and Akash. According to the statement of Sachin, Pratik, present applicant, Suryakant, Suresh and Sandeep assaulted on Dadya by means of stick. This Court (Coram: Manish Pitale, J.) on 09.08.2019, released applicants Akash and Suryakant on bail.

The investigation is over. Charge-sheet is already filed. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Nikhil s/o Uttamrao Uike be released on bail in connection with Crime No. 144/2019 registered with Police Station, Ramnagar, Wardha for an offence punishable under Sections 302, 143, 147, 148 and 149 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the proceeding before the trial Court on each and every date.
- (iv) The applicant shall not tamper with the prosecution evidence nor influence any of the prosecution witnesses.

The application is disposed of.

JUDGE

kahale