

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

CRIMINAL APPLICATION (BA) NO. 1043 OF 2019

Rohan s/o Shankar Bihade .Vs. State of Maharashtra,through P.S.O, P.S.
Panchpaoli, Nagpur.

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

Court's or Judge's orders.

Mr. C.R. Thakur, Advocate for applicant.

Mr. N.R. Rode, A.P.P. for non applicant- State.

CORAM : V. M. DESHPANDE, J.

DATED : NOVEMBER 19, 2019

Heard Mr. Thakur, learned counsel for the applicant and Mr. Rode, learned Additional Public Prosecutor for non applicant-State.

Applicant is arrested on 15.07.2018 in connection with Crime No.157/2018 registered with Police Station, Panchpaoli, Nagpur for an offence punishable under Sections 307, 120(B), 143, 144, 147, 148, 149 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act and under Section 135 of the Mumbai Police Act.

The investigation is over and charge-sheet is already filed.

The incident is dated 14.07.2018 and on the next day the applicant is arrested.

The injured Rahul is already discharged from the hospital and thus now there is no possibility that offence may be further aggravated.

The applicant is only 19 years of age. According to the learned Additional Public Prosecutor the past record of the applicant is absolutely clean. According to the learned counsel for the applicant though the charge-sheet is filed, till today charge is not framed.

Looking to the fact that applicant is languishing in jail since more than one year and there is no possibility of the trial is being taken in near future, I pass the following order :

ORDER

- (i) The application is allowed.
- (ii) Applicant- Rohan s/o Shankar Bihade, be released in connection with Crime No.157/2018 registered with Police Station, Panchpaoli, Nagpur for an offence punishable under Sections 307, 120(B), 143, 144, 147, 148, 149 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act and under Section 135 of the Mumbai Police Act, on he executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend Police Station, Panchpaoli, Nagpur twice a week i.e. on every Tuesday and Friday and shall be with the investigating officer from 01:00 p.m. to 07:00 p.m., till culmination of the trial.

The application is disposed of.

JUDGE