

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

CRIMINAL APPLICATION (BA) NO.1149 OF 2018

(Mohit Bhikulalji Bhandari Vs. State of Maharashtra thr. PSO PS Dhamangaon Bahde,
Tah. Motala, Dist. Buldhana)

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

Court's or Judge's orders.

Shri S.U. Bhuyar, Advocate for Applicant.
Shri H.D. Dubey, APP for Respondent/State.

CORAM: M.G. GIRATKAR, J.

DATE: 7th FEBRUARY, 2019.

Heard Shri Bhuyar, Advocate for the applicant.

The case of the prosecution is based only last seen theory. There is no other material circumstance against the applicant. Applicant is in jail from 21.06.2018.

Shri Dubey, learned APP has strongly objected the application.

There are sufficient evidence against the accused.

Hence, application is liable to be rejected.

From the perusal of whole charge-sheet, it appears that except the last seen there is no other evidence against the accused. The deceased was the friend. Investigation is complete. Charge-sheet is filed. Hence, the following order:

- [i] The application is allowed.
- [ii] Applicant be released on bail on furnishing PR bond in the sum of Rs.25000/- with one solvent surety in

the like amount on following conditions.

- [a] The applicant shall not tamper the evidence of prosecution witnesses.
- [b] The applicant shall attend the trial Court on each and every date.
- [c] The applicant shall not leave the jurisdiction of trial Court without prior permission.
- [d] The applicant shall cooperate in the investigation.
- [e] The breach of any condition amounts to cancellation of bail.

JUDGE