

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

CRIMINAL APPLICATION (BA) NO.217 OF 2020

(Pawan s/o. Dnyaneshwar Bhone .vs. State)

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

Court's or Judge's orders

CORAM : M. G. GIRATKAR, J.

DATE : 13.8.2020.

1. Heard Mr.R.M.Daga, learned Counsel for the applicant and Mrs.M.B.Barabde, learned Additional Public Prosecutor for non-applicant/State. The hearing was conducted through Video Conferencing and the learned Counsel for the respective parties agreed that the audio and visual quality was proper.

2. Mr.R.M.Daga, learned Counsel for the has pointed out order of this Court in Criminal Application (BA) No.503 of 2019, dt.19.7.2019 and submitted that the application of present applicant was withdrawn with liberty to renew the prayer for bail in case there is no change in the circumstances. The learned Counsel has further pointed out order passed by the Sessions Court, Pusad in Sessions Trial No.14 of 2019, dated 18th September, 2019. The learned Counsel has submitted that one of the accused namely Akash Pundalik Bhone whose role is like the present applicant is released on bail. He, therefore,

prayed to grant bail to the applicant.

3. The learned Counsel for the applicant has pointed out statements of material witnesses and submitted that their statements show that present applicant and applicant Akash Pundalik Bhone both beat the deceased by iron rod. One of the accused i.e. Akash Pundalik Bhone is released by the trial Court itself. Therefore, the applicant is entitled for grant of bail.

4. Mrs.M.A.Barabde, learned Additional Public Prosecutor has strongly objected the application. She has submitted that the applicant and the other accused beat the deceased by iron rod. The deceased died due to the injuries sustained by him due to beating by the applicant and other accused. At last, it is submitted that the application be rejected.

5. Perused the statements of witnesses. They have stated in their statements that the accused were beating the son of deceased. The deceased intervened in the quarrel and tried to rescue his son. During that quarrel, accused persons namely Pawan Bhone and Akash Pundalik Bhone beat the deceased by iron road. The deceased sustained injuries and died. One of the accused i.e. accused Akash Pundalik Bhone is released by the trial Court on bail. Role of

present applicant is like accused Akash Pundalik Bhone. Therefore, the applicant is also entitled for bail. Hence, the following order.

The application is allowed.

The applicant be released on bail on execution of P.R. bond of **Rs.25,000/-** with one solvent surety in the like amount.

He shall not enter in village Pardi (Nimbi), Tq.Pusad, District Yavatmal during pendency of trial.

The applicant shall not tamper with the evidence of prosecution witnesses.

He shall attend the trial Court on each and every date.

The application is disposed of.

JUDGE

ssjaiswal

Suraj
Jaiswal

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by Suraj Jaiswal
Date:
2020.08.13
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