

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

CRIMINAL APPLICATION (BA) NO.282 OF 2020

(Lakhan @ Sonu s/o. Shriram Parshivnikar .vs. State)

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

Court's or Judge's

CORAM : M. G. GIRATKAR, J.

DATE : 27.7.2020.

1. Heard Mr.R.S.Nayak, learned Counsel for the applicant and Mr.H.N.Joshi, 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.S.Nayak, learned Counsel for the applicant has pointed out the First Information Report and statements of witnesses. Learned Counsel has submitted that the name of applicant is not shown in the F.I.R. as an assailant. The main accused are Uttam Baba Guru and others. Therefore, the applicant is entitled for grant of bail.

3. Mr.H.N.Joshi, learned Additional Public Prosecutor has strongly objected the application. He has submitted the role of applicant is stated by co-accused Uttam in his memorandum

statement recorded under Section 27 of the Indian Evidence Act.

4. Perused the report and statements of witnesses. Name of applicant is not stated in the F.I.R. Whatever is stated by the co-accused in his memorandum recorded under Section 27 of the Evidence Act is not admissible in evidence. Mr.R.S.Nayak, learned Counsel has submitted that other five accused are released on bail by the trial Court. Looking to the above submissions, the application is allowed.

The applicant be released on bail in Crime No.491 of 2019 registered by Police Station, Kalamna, District Nagpur on execution of P.R. bond of **Rs.25,000/-** with one solvent surety in the like amount.

He shall not tamper with evidence of prosecution witnesses.

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

The application is disposed of.

This order be communicated to the Counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

ssjaiswal

Suraj
Jaiswal

Digitally signed
by Suraj Jaiswal
Date:
2020.07.27
16:18:35 +0530