

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

CRIMINAL APPLICATION (BA) NO.350/2020

Girish s/o Kishor Nanwani .vs. State of Maharashtra thr. PSO P.S. Gondia

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

Court's or Judge's orders.

Mr. R. M. Patwardhan, Advocate for applicant.
Mr. N. R. Rode, A.P.P. for non applicant-State.
Mr. V. S. Mishra, Advocate for complainant.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 25, 2020

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

Heard Mr. Patwardhan, learned counsel for applicant, Mr. Rode, learned A.P.P. for non applicant-State and also Mr. Mishra, learned counsel for intervenor.

Undisputedly, applicant is a juvenile in conflict with law in respect of Crime No.569/2019, registered with Police Station Gondia City, Gondia for an offence punishable under Sections 302, 324, 120-B, 34 of the Indian Penal Code and Sections 4 and 25 of the Arms Act.

It is submission of learned counsel for the applicant that role of the applicant is at par with the role of one Kimesh Omprakash Agrawal, another juvenile in conflict with law, who has been granted regular bail by this Court on 19.05.2020.

The aforesaid submission about assault is vehemently opposed by Mr. Mishra, learned counsel who is appearing for the complainant. He submits that role of the present applicant is altogether different. Applicant is the person who has taken delivery of knife, which was used in this crime.

However, after hearing learned counsel for parties, it is crystal clear that there are no allegations against the present applicant that he has actually assaulted on the deceased Pratham alias Kantha, who was also a minor.

The applicant is a juvenile in conflict with law and he is in observation house since 15.11.2019. This application is moved though applicant's natural guardian father Kishor Nanwani. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Girish s/o Kishor Nanwani be released on bail in connection with Crime No.569/2019, registered with Police Station Gondia City, Gondia for an offence punishable under Sections 302, 324, 120-B, 34 of the Indian Penal Code and Sections 4 and 25 of the Arms Act on he executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.
- (iii) Applicant's natural guardian, who has filed this application namely; Kishor Nanwani shall also file an undertaking before the Court below, before whom bail bond will be executed, that he shall keep watchful eye on the applicant- Girish, until culmination of the trial.

The application is disposed of.

The order be communicated to the counsel appearing for the parties either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

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