

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

CRIMINAL APPLICATION (BA) NO. 495 OF 2020

(Vaibhav @ Goldy s/o Kamaldas Narnaware **Vrs.** The State of Maharashtra,
thr. P.S.O., P.S. Bela, Nagpur)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.M. Gedam, Adv. for the applicant.
Shri H.D. Dubey, APP for the non-applicant / State.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 15, 2020.

Heard.

2. The applicant is seeking bail in Crime No. 69/2020 registered at Police Station Bela, District Nagpur, for the offence punishable under Sections 307, 302, 120(B), 34 of the Indian Penal Code read with Section 3 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3. Perused the application, affidavit-in-reply filed on behalf of the State and the charge-sheet, with the assistance of learned counsel for both the parties.

4. At the outset, the case is based on circumstantial evidence. The allegation against the present applicant is that he assisted the main accused – Amol Bonde in commission of murder of the deceased – Popatrao Davare i.e. father of the informant.

5. The role attributed to the main accused is with regard to calling the deceased at his place and

committed his murder by means of iron rod and katta with the assistance of the present applicant.

6. The main accused is released on bail by this Court.

7. Considering the insufficient link of circumstances and on the ground of parity, the present applicant is entitled to be released on bail, hence, the following order :

(i) The applicant – Vaibhav @ Goldy s/o Kamaldas Narnaware shall be released on bail on executing Personal bond of Rs. 30,000/- (Rs. Thirty thousand only) with one surety in the like amount.

(ii) The applicant shall not enter the vicinity of the area where the witnesses reside.

(iii) The applicant shall not leave their local jurisdiction without prior intimation to the concerned police station.

(iv) The applicant shall not give threat to the witnesses or tamper with the evidence.

(v) The applicant to attend the concerned police station once in a month i.e. on every first Thursday of the month between 12.00 noon and 2.00 p.m.

8. Needless to say that the aforesaid observations are only for the purpose of deciding this application and the same shall not come in the way of the trial Court to decide the trial.

JUDGE

D.S. Baldwa