

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

Criminal Application (BA) No. _____ of 2020 (LD-VC No. 923 of 2020)
[Kishor S/o Nathuji Pimpalkar Vs. State of Maharashtra through P.S.O., P.S. Bhadrawati, Tah. Bhadrawati, Dist. Chandrapur]

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

Court's or Judge's Order

Shri A. S. Ambatkar, Advocate for the applicant
Shri P. S. Tembhare, APP for the State/non-applicant

CORAM : M. G. GIRATKAR, J.

DATE : 13/08/2020

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard learned Advocate Shri Ambatkar for the applicant. He has submitted that as per the allegations in the report, the applicant was present on the spot. As per the report, the complainant and his son were robbed by other co-accused. The present applicant was present on the spot and he was saying the complainant and his son to give the amount to other co-accused and leave the place. As per the submissions of learned Advocate, amount was recovered from co-accused namely, Sangam Sagore and Shubham Sakharkar. The present applicant was only present on the spot of incident.

3. Shri Tembhare, learned Additional Public Prosecutor has strongly objected the application and submitted that the applicant was present on the spot and he was instigating other accused to rob the complainant.

4. From the perusal of report itself, it appears that the applicant was present on the spot. He told the complainant to give the money and leave the spot. Except this, there is no allegation against the present applicant. Other accused robbed the complainant and his son. Looking to the allegations in the report, the application is allowed.

5. The applicant be released on bail on executing PR Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety of like amount on condition that he shall not tamper the evidence of prosecution witnesses.

6. The application is disposed of.

7. 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

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