

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

CRIMINAL APPLICATION (BA) NO. 535 OF 2020

(Sohail s/o Yasin Chaudhari and others ..vs.. State of Maharashtra, through PSO, PS Ramdas Peth,
Akola)

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

Court's or Judge's orders

Shri S.V. Sirpurkar, Counsel for the applicants,
Shri C.A. Lokhande, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 30-09-2020

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

2. Heard.

3. The applicants are seeking regular bail in Crime 86/2020 registered with Ramdaspath Police Station, Akola for offences punishable under Sections 143, 147, 148, 149, 302, 307, 504 and 506 of the Indian Penal Code and Section 3/24 of the Arms Act.

4. From the material in the charge-sheet, it appears that there was a free fight between two groups and cross reports were lodged.

5. The members of the rival group are released on bail either by the Sessions Court or this Court.

6. In so far as the applicants are concerned, the submission is that the applicants are not responsible for the death of Javed Gourve. It is pointed out that it was co-accused Sajid who assaulted Javed with a deadly weapon and what is attributed to the applicants is assault by stick or iron pipe on persons other than the deceased.

7. Considering that there appears to be a free for all fight and persons of both the groups have suffered, and further the applicants do not appear to have assaulted the deceased, I am inclined to grant bail subject to certain conditions.

8. The application is allowed.

9. The applicants shall be released on bail on executing personal bond of Rs.25,000/- each with a solvent surety of like amount.

10. Considering the prevailing circumstances, the surety shall be furnished within four weeks of the release.

11. The applicants shall not make any attempt to tamper with the evidence or to influence witnesses.

12. The applicants shall attend each date of hearing scrupulously.

13. The applicants shall not leave the country without the permission of the trial Court.

14. The applicants shall not enter the jurisdictional limits of Ramdaspath Police Station, Akola till the conclusion of the trial.

15. The applicants shall not indulge in similar serious offences and the applicants are put on notice that any breach of the conditions of bail may entail cancellation of bail.

JUDGE

adgokar