

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

LD-VC-BA NO.980 OF 2020

(Ravikant @ Lakhan Sadashiv Nakshine Vs. State of Maharashtra)

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

Court's or Judge's orders.

Shri A.A. Dhawas, Advocate for Applicant.
Shri P.S. Tembhare, APP for Non-Applciant/State.

CORAM: ROHIT B. DEO, J.

DATE: 3rd SEPTEMBER, 2020.

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

2] Heard Shri A.A. Dhawas, the learned counsel for the applicant.

3] The submission of the learned counsel Shri Dhawas is that the applicant is arrested in Crime 85/2020 registered with Police Station Gadchandur for offence punishable under section 302 and 201 of IPC only on suspicion.

4] The learned counsel would submit that apart from the allegation that the applicant availed loan of Rs.14,00,000/- from the deceased, there is no material to link the applicant with the crime.

5] The submission of the learned counsel Shri Dhawas is rebutted by the learned APP Shri Tembhare by pointing out that the mother and the wife of the deceased have voiced suspicion about the complicity of the applicant. The further submission is that the lie detector/polygraph test of the applicant is to be conducted.

6] Shri Dhawas states that if released on bail the applicant shall undertake any lie detector test and that such undertaking may be made a condition of grant of bail. The submission is reasonable.

7] At this stage, there does not appear to be any concrete material, other than the suspicion voiced, to link the applicant with the crime. The allegation that the applicant availed loan from the deceased may at best furnish motive, but then, in the absence of any further material on record it would not be appropriate to force the applicant to languish the custody.

8] The applicant be released from custody subject to the following conditions:

- [i] The applicant shall furnish personal bond of Rs.25,000/- with surety of like amount. Considering the prevailing situation the surety may be furnished within four weeks from the date of arrest.

[ii] The applicant shall co-operate with the Investigating Officer and shall undertake such lie detector test as the Investigating Officer may ask the applicant to undertake. Breach of this condition may entail cancellation of bail.

[iii] The applicant shall not leave the country without permission of the jurisdictional court. The applicant shall deposit his pass-port, if any, with the Investigating Officer and shall furnish his current address and cell phone number.

[iv] The applicant shall scrupulously attend every date of trial.

9] 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

NSN

Nitin
Nikhare

Digitally signed
by Nitin Nikhare
Date:
2020.09.04
13:42:10 +0530