

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

LD-VC-CRIMINAL APPLICATION (BA) NO. 1077 OF 2020

(Nandlal Loturam Wasnik, Gadchiroli 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 M.N. Ali, Advocate for the applicant.
Mrs. M.A. Barabde, A.P.P. for the non-applicant.

CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 20, 2020.

Heard Shri Ali, learned counsel for the applicant and Mrs. Barabde, learned A.P.P. for the non-applicant/State through Video Conferencing.

2. The applicant is said to be arrested on 24/07/2019 in connection with Crime No. 208/2019 dated 24/07/2019 registered at Police Station, Desaijanj, District Gadchiroli for the offence punishable under Sections 395 and 341 of the Indian Penal Code.

3. The allegations against the present applicant along with the co-accused is that while the informant was proceeding in his truck towards Andhra Pradesh from Bhilai (C.G.), near Arjuni to Wadsa road, the present applicant along with other co-accused, four in number, came inside the cabin of that truck and committed robbery of Rs.16,000/-. The F.I.R. about the said incident came to be lodged on 24/07/2019 and on the same day, the present

applicant came to be arrested.

4. The prosecution opposed the bail application vide its affidavit-in-reply mainly on the ground that Rs.16,000/- came to be seized from the accused persons including Rs.1,800/- from the possession of the present applicant. That the witnesses also identified the present applicant during test identification parade.

5. Considering the nature of accusations, which does not involve use of weapon or injury and considering the amount involved, so also looking to the fact that the investigation is completed and chargesheet is also filed and no criminal antecedents could be pointed out by the prosecution against the present applicant coupled with the fact that he is in jail since more than one year, this Court is of the opinion that by imposing suitable conditions, he can be released on bail. Hence, the following order :-

ORDER

- i) The Criminal Application is allowed.
- ii) The applicant be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- iii) The applicant shall not pressurize or issue threats to the witnesses.
- iv) The applicant shall not tamper with the prosecution evidence.

v) The applicant to supply his residential address and mobile number to the concerned police station and shall not change the same.

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

vii) The applicant to attend the concerned police station on every first Thursday of each month between 12.00 noon to 2.00 pm.

6. The Criminal Application is disposed of accordingly.

7. This order be communicated to the counsel appearing for the parties, either on the email address or on Whats app or by such other mode, as is permissible in law.

JUDGE