

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

CRIMINAL APPLICATION (BA) NO. 651 OF 2020

(Karan s/o Dipak Wakode vs. State of Maharashtra thr. PSO, PS Balapur, District - Akola)

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

Court's or Judge's orders.

Shri R.M. Daga, Advocate for the applicant.
Shri S.A. Ashirgade, APP for the non-applicant –
State.

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CORAM : PUSHPA V. GANEDIWALA, J.
NOVEMBER 26, 2020.

Heard Shri Daga, learned counsel for the
applicant and Shri Ashirgade, learned APP for the
non-applicant – State, through video conferencing.

2. The applicant, who was arrested on 20.08.2019 for the offence punishable under Sections 143, 147, 148, 149, 450, 307, 302, 323, 324, 326 and 504 of the Indian Penal Code in Crime No. 337 of 2019 by Balapur Police Station, District – Akola, has moved this application.

3. It is a case of double murder. Five accused are named in the charge sheet. The applicant is arraigned as Accused No. 4.

4. Perused the application, affidavit in reply filed by the non-applicant – State and charge sheet, with the assistance of learned counsel for the parties.

5. The alleged weapons used are steel pipes and axe. The incident is a result of old enmity between two families. The role attributed to the present applicant in the First Information Report is that the co-accused i.e. Pravin Wakode and Sachin Wakode, called the present applicant with motorcycle and on this motorcycle Harising – informant was brought in front of his house. The statements of witnesses i.e. Rinku Solanke and Anita Solanke, which were recorded after three days of the incident reflect the name of the present applicant for assaulting Kisana with iron pipe.

6. Considering the absence of name of the present applicant in the First Information Report and his age i.e. 20 years only, coupled with the fact that investigation is completed and charge sheet is also filed, this Court is inclined to grant him bail, however, on stringent conditions.

Criminal application is allowed on the applicants executing Personal Bond of Rs.40,000/- (Rs. Forty thousand only) with one surety in the like amount.

(ii) The applicant shall not issue threats or tamper the prxosecution witnesses.

(iii) The applicant shall not enter the locality where the informant and the witnesses reside.

(iv) The applicant shall attend Police Station once in a month on every first Thursday of the month.

Needless to mention that the observations made in this application are strictly for deciding the present application of the applicant and the trial Court shall be free to decide the matter on its merit.

JUDGE

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