

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

CRIMINAL APPLICATION (BA) NO. 823 OF 2020

(Gopala Dipaji Telang **Vrs.** State of Maharashtra, thr. P.S.O., P.S. Jalamb, Tah.
Shegaon, Dist. Buldhana)

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

Court's or Judge's Order

Shri R.D. Karode, Adv. for the applicant.
Shri H.D. Dubey, APP for the non-applicant / State.

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CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 02, 2020.

Heard.

2. The applicant is said to be arrested in Crime No. 68/2017 registered at Police Station Jalamb, Tah. Shegaon, District Buldhana for the offence punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code.

3. The allegations against the present applicant aged about 73 years are that he assisted in commission of murder of new born baby of his daughter (mother of new born baby) which is allegedly born out of illicit relations. The only eye-witness is his grand son by name Vasanta aged about 11 years.

4. A perusal of the statement of grand son – Vasanta would reflect that the baby was born alive, thereafter she died and thereafter the applicant came put a piece of cloth around her neck and dump the body in the heap of mud and twigs.

5. The applicant aged about 73 years is in jail since May, 2017. A perusal of statement of Vasanta does not reflect in clear terms about the role of the present applicant in committing the murder of new born bay. This Court is inclined to grant him bail. Hence, the following order :

(i) The applicant – Gopala Dipaji Telang be released on bail on executing Personal bond of Rs. 20,000/- with a solvent surety of like amount.

(ii) The applicant shall not enter the vicinity of the area where the witnesses reside.

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

(iv) The applicant shall not tamper with the evidence of prosecution witnesses.

(v) The applicant to attend the concerned police station once in a month i.e. on every first Tuesday of the month between 12.00 noon and 2.00 p.m.

(vi) Needless to say that the aforesaid observations are only for the purpose of deciding this application and the same shall not come in the way of the trial Court to decide the trial.

JUDGE