

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

LD-VC-CRIMINAL APPLICATION (ABA) NO. 355 OF 2020

(Sunil @ Balu Bahadursing Rajput vs. State of Maharashtra thr. P.S.O., Police Station
Nandura, District - Buldhana)

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

Court's or Judge's orders.

Shri A.B. Patil, Advocate for the applicant.
Shri Amit Chutke, APP for the non-applicant - State.

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CORAM : PUSHPA V. GANEDIWALA, J.
JULY 24, 2020.

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

The applicant is apprehending arrest in crime No. 169 of 2020 registered at Police Station, Nandura, District – Buldhana, for the offence punishable under Sections 143, 147, 148, 149, 307, 323, 324, 504 and 506 of the Indian Penal Code and also under Section 25 and Section 3 of the Arms Act.

The case of the prosecution is with regard to use of deadly weapon by the present applicant and the co-accused. The role attributed to the present applicant i.e. Sunil @ Balu Bahadursing Rajput is that he was holding a sword and assaulted the

complainant with the point of sword on the left thigh of the complainant.

The learned counsel for the applicant submits that the medical papers of the complainant show injury such as abrasion, which injury cannot be caused by means of a sword.

The learned APP appearing on behalf of the State could not point out from affidavit-in-reply any justifiable ground for custodial interrogation of the present applicant or any criminal antecedents against him.

Considering the role attributed to the present applicant, I am inclined to allow the present application. Hence, the following order :

In the event of arrest, the applicant – Sunil @ Balu Bahadursing Rajput, be released on personal bond of Rs.15,000/- with one surety in the like amount.

The applicant shall not tamper with prosecution witnesses.

The applicant shall cooperate with the Investigation Officer as and when called for.

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

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

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