

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

LD-VC-CRIMINAL APPLICATION (BA) NO. 560 OF 2020

(Ramprasad s/o Shubhash Ingole vs. State of Maharashtra, thr. PSO, PS, Risod, Tq. Risod,
District - Washim)

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. Gupta, Advocate for the applicant.
Shri J.Y. Ghurde, APP for the non-applicant – State.

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CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 03, 2020.

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

The applicant – Ramprasad Shubhash Ingole is original Accused No. 4 in Crime No. 530 of 2019 registered at Police Station, Risod, District – Washim, for the offence punishable under Sections 302, 201, 120-B read with Section 34 of the Indian Penal Code.

On perusal of the application, affidavit-in-reply and the documents annexed and having considered the submissions made on behalf of both the sides, undisputedly, the whole case is based on

the circumstantial evidence. The present applicant, aged about 19 years, a student without any criminal antecedents, is involved in this crime as one motorcycle was recovered at his instance, which is allegedly used in the crime. However, there is nothing in the charge sheet to substantiate these allegations.

The present applicant arrayed as an accused also on the basis of tower location at the relevant time, however, the Investigating Officer did not seize his mobile. The prosecution also could point out from the entire charge sheet, a chain of circumstances to connect the present applicant to this crime. Furthermore, he could not be identified by the prosecution witnesses in Test Identification Parade (T.I. Parade), barring one witness.

He being a student, aged about 19 years, doing part time job, in jail since more than 8 months, deserves bail. Hence, the following order :

The applicant – Ramprasad s/o Shubhash Ingole, be released on bail on executing Personal bond of Rs.30,000/- (Rs. Thirty thousand only) with one surety in the like amount.

He shall attend the Police Station Risod, District – Washim, once in a month i.e. on first Thursday of the every month between 12.00 Noon and 2.00 P.M.

The order be communicated to the counsel for the parties either on email address or non Whatsapp or by such other mode, as is permissible in law.

JUDGE

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