

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

CRIMINAL APPLICATION (BA) NO. 1045 OF 2020

(Shriram @ Mahendra Ramchandra Zanzad vs. The State of Maharashtra thr. PSO, PS
Tumsar, District - Bhandara)

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

Court's or Judge's orders.

Shri Rajnish Vyas, Advocate for the applicant.
Shri S.A. Ashirgade, APP for the non-applicant –
State.

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CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 07, 2020.

Heard Shri Vyas, learned counsel for the
applicant and Shri Ashirgade, learned APP for the
non-applicant – State.

2. The applicant is seeking bail in Crime
No. 367 of 201920, registered at Tumsar Police
Station, District - Bhandara, for the offence
punishable under Sections 302 and subsequently
added Sections 201 and 120-B of the Indian Penal
Code.

3. Perused the application, affidavit in reply
filed by the State and the charge sheet.

4. The case of the prosecution is that on 17.07.2019, an unidentified mutilated dead body was lying near a canal situated at Salai village. Initially, crime was registered against the unknown persons. During investigation, present applicant along with co-accused came to be arrested. The statement of eye witnesses would reflect that the main accused by name Narendra Selokar and Rahul Barvekar played a vital role in assaulting the deceased in front of the house of the present applicant. He was present and was watching the incident. It is alleged that he took part in carrying the injured Suresh Meshram near the canal along with the co-accused. Apart from the above allegations against him, the prosecution could not point out any other substantive role played by the present applicant in committing the murder of the deceased.

5. Considering the role attributed to the present applicant i.e. he carried the injured Suresh Meshram near the place where the mutilated body of an unknown person was found, the prosecution could not point out any other substantive material against him.

6. The investigation is completed and the charge sheet is also filed. Considering the role attributed to the present applicant, he deserves bail.

7. In the circumstances, Criminal Application is allowed on the following conditions :

(i) The applicant – Shriram @ Mahendra Ramchandra Zanzad, shall be released on bail on furnishing Personal Bond of Rs.30,000/- (Rs. Thirty thousand only) with one surety in the like amount.

(ii) The applicant shall not tamper with the evidence.

(iii) The applicant shall not pressurize the prosecution witnesses.

(iv) The applicant shall attend the Police Station once in a month on every first Thursday of the month between 11.00 AM to 1.00 PM.

JUDGE

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