

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

CRIMINAL APPLICATION (BA) NO. 1091 OF 2020

(Mr. Anil s/o Matabhik Yadav vs. The State of Maharashtra thr. PSO, Awadhutwadi,
Yavatmal)

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

Court's or Judge's orders.

Shri S.C. Mishra with Shri N.R. Gandhi, Advocates for
the applicant.

Shri H.D. Dubey, APP for the non-applicant – State.

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CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 16, 2020.

Heard Shri Mishra, learned counsel for
the applicant and Shri Dubey, learned APP for the
non-applicant – State.

2. The applicant – Anil Matabhik Yadav, is
seeking bail in Crime No. 400 of 2020 dated
13.05.2020 for the offence punishable under Sections
302, 307, 143, 144, 147, 148, 323, 504, 212 of the
Indian Penal Code, read with Sections 4 (25) of the
Arms Act.

3. Perused the application, affidavit-in-reply
filed on behalf of the non-applicant – State and the

case diary, with the assistance of learned counsel for both the parties.

4. It is stated that the incident is the result of sudden quarrel between two neighbouring families on the issue of illegally sale of liquor. It is stated that both the groups registered counter FIR against each other. The informant and his family have been booked for the offence punishable under Section 307 read with Section 149 of the Indian Penal Code while the present applicant and his family have been booked for the offence punishable under Section 302, 143, 147, 148, 323, 504, 212 of the Indian Penal Code read with Section 4 and 25 of the Arms Act.

5. A perusal of the FIR does not show specific role of the present applicant except that he used fists and kick blows. The main accused is Sagar, who brought knife from his house and stabbed the deceased Suryaprakash.

6. Considering the role attributed to the present applicant, this Court is inclined to grant him bail.

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

(i) The applicant – Anil Matabhik Yadav, shall be released on bail on executing Personal Bond of Rs. 30,000/- (Rs. Thirty thousand only) with one surety in the like amount.

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

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

8. 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 not get influenced by the same and shall be free to decide the matter on its merits.

JUDGE

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