

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

CRIMINAL APPLICATION (BA) NO. 1070 OF 2020

(Chetan s/o Ramu Rathod vs. The State of Maharashtra thr. PSO, PS Ner, Tahsil – Ner,
District - Yavatmal)

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

Court's or Judge's orders.

Shri Atharav Manohar, Advocate for the applicant.
Shri I.J. Damle, APP for the non-applicant – State.

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

Heard Shri Manohar, learned counsel for
the applicant and Shri Damle, learned APP for the
non-applicant – State.

2. The applicant is seeking bail in Crime
No. 228 of 2020, registered at Ner Police Station,
District - Yavatmal, for the offence punishable under
Sections 302, 143, 147, 148 and 149 of the Indian
Penal Code.

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

4. The incident is the outcome of the
quarrel between deceased - Subhash Rathod, who

was on bail in murder crime and the accused persons including the present applicant.

5. A perusal of the charge sheet does not show any substantive material against the present applicant. There is no eye witness to the incident. The crime is registered on the basis of confession given by the co-accused before the Police Patil. The prosecution also could not point out any recovery from the present applicant or criminal antecedents.

6. The investigation is completed and the charge sheet is also filed. The applicant is 21 years of age and he is in jail since 28.06.2020. Considering the role attributed to the present applicant, he is entitled to be released on bail.

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

(i) The applicant – Chetan Ramu Rathod, 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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