

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

Criminal Application (BA) No.1207 of 2020

Akash @ Akshay Prakash Mahure

Versus

State of Maharashtra, through P.S.O. Pachpaoli, Nagpur.

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri D.M. Dixit, Advocate for Applicant.
Ms S.S. Jachak, APP for Non-Applicant.

Coram : Pushpa V. Ganediwala, J.

Date : 21st December, 2020

Heard Shri Dixit, learned counsel for the applicant, and
Ms Jachak, learned APP for the non-applicant – State.

2. The applicant is seeking bail in Crime No.971 of 2019 registered at Police Station Panchpaoli, Nagpur for the offence punishable under Sections 302, 323, 324, 143, 147, 148, 149, 120(B) of the Indian Penal Code.

3. Perusal of the FIR does not show any specific role assigned to the present applicant. In his supplementary statement, also the injured – informant does not assign any specific role to the present applicant. The similarly situated accused Akash Kumbhare is already released on bail by this Court vide order dated 18-12-2020 passed in Criminal Application (BA) No.1038 of 2020.

4. The age of the present applicant is 19 years and the prosecution could not point out any criminal antecedents against

the present applicant.

5. The other five co-accused, who are juveniles, are before the Juvenile Justice Board. It appears that all these small boys of age between 17 years to 23 years assaulted the deceased and injured for their past animosity.

6. Considering the age of the present applicant and the role attributed to him and coupled with the fact that the investigation is completed and the chargesheet is also filed, this Court is inclined to grant him bail. Hence, the following order :

(i) The applicant - Akash @ Akshay Prakash Mahure, shall be released on bail on his executing a personal bond of Rs.20,000/- (Rs. Twenty thousand only) with one surety in the like amount.

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

(iii) The applicant shall not enter the vicinity of the area where the witnesses reside.

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

7. 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.

8. The criminal application stands disposed of.

JUDGE.

Lanjewar