

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

CRIMINAL APPLICATION (BA) NO. 1157 OF 2020

(Nikhil s/o Bharat Nayak & Anr. vs. The State of Maharashtra thr. PSO, Ramnagar PS,
Gondia, District - Gondia)

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

Court's or Judge's orders.

Shri R.L. Khapre, Senior Advocate with Shri D.R. Khapre and Shri A.P. Thakare, Advocates for the applicants.

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

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CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 22, 2020.

Heard Shri Khapre, learned Senior Advocate for the applicants and Shri Dubey, learned APP for the non-applicant – State.

2. The applicants – Nikhil s/o Bharat Nayak and Mukesh s/o Bharat Nayak, are seeking bail in Crime No. 277 of 2020 dated 22.08.2020 for the offence punishable under Sections 353, 332, 333, 143, 144, 147, 149, 294, 506 of the Indian Penal Code, read with Section 135 of the Bombay Police Act, registered by Ramnagar Police Station, Gondia, District – Akola.

3. The allegations against the present applicants is that they along with other co-accused, during quarrel, when police reached, they hurled iron rods on the police and thereby caused minor injury to the thumb of one of the police personnel. Police personnel was discharged from the hospital on the same day after treatment.

4. Now, the investigation in the case is completed and the charge sheet is also filed. The other co-accused are already on bail. Considering the nature of allegations and the nature of offence, this Court is inclined to grant bail to the applicant.

5. Criminal application is allowed on the following conditions :

(i) The applicants – Nikhil s/o Bharat Nayak and Mukesh s/o Bharat Nayak, shall be released on bail on executing Personal Bond of Rs.20,000/- (Rs. Twenty thousand only) each with one surety each in the like amount.

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

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

6. Needless to mention that the observations made in this application are strictly for deciding the present application of the applicants 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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