

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

CRIMINAL APPLICATION NO. (APPP) 1306 OF 2020 IN
CRIMINAL APPLICATION (BA) NO. 1208 OF 2020

Rajesh s/o Bansilal Purohit and anr.

..vs..

State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri Rohit Joshi, Advocate for appellants.
Shri S.D. Sirpurkar, A.P.P. for respondent-State.

CORAM : VINAY JOSHI, J.
DATED : 08/12/2020

Heard.

2. The application is seeking for interim bail relating to the offence punishable under Section 304 of the Indian Penal Code in Crime No. 374 of 2020 registered at M.I.D.C. Police Station, Akola.

3. Learned Counsel for the appellants would submit that by any stretch of imagination the offence punishable under Section 304 of the Indian Penal Code would not attract. On 19.04.2020 deceased lady while working as a labourer in Dal Mill died due to strangulation. While working in the Mill her saree was entangled into water tab by which she was strangled and resultantly died. After 7 months from the occurrence, F.I.R. has been lodged by the Police personal on behalf of the State. The only allegation is that, the applicants who are owner and Manager of Dal Mill were supposed to impart training to the deceased which they did not. The question of

applicability of culpable homicide not amounting to murder is a question for scrutiny. However, considering the facts and as the applicants have already faced custodial interrogation, they have made out a case for interim protection, therefore following order is passed ;

- (a) The applicants namely Rajesh s/o Bansilal Purohit and Pankaj s/o Chandrashekhar Jogdand are released on interim bail on their furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount each.
 - (b) The applicants shall attend concerned Police Station on every Monday in between 10.00am to 12.00 noon till further orders.
 - (c) The applicants shall not tamper with the evidence in any manner.
4. The Criminal Application is allowed and disposed of.

CRIMINAL APPLICATION NO. 1208 OF 2020

Issue notice to the respondent, returnable after two weeks.

2. Learned A.P.P. waives service of notice on behalf of the respondent-State.

JUDGE

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