

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

Criminal Application (BA) No.1229 of 2020

Gajanan s/O Uttamrao KALE

Versus

State of Maharashtra, through P.S.O., Deoli, Tq. Deoli, Dist. Wardha.

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

Shri Mahesh Rai, Advocate for Applicant.

Shri H.D. Dubey, APP for Non-Applicant.

Coram : Pushpa V. Ganediwala, J.

Date : 21st December, 2020

Heard Shri Mahesh Rai, learned counsel for the applicant,
and Shri H.D. Dubey, learned APP for the non-applicant – State.

2. The learned APP seeks time to file reply.

3. The learned counsel for the applicant states that the
marriage of the daughter of the applicant is fixed on 3-1-2021.

4. The applicant is seeking bail in Crime No.816 of 2020
registered at Police Station Deoli, Tah. Deoli, District Wardha for
the offence punishable under Sections 306, 305, 504 and 506 of
the Indian Penal Code.

3. It is the allegation of the prosecution that the applicant
instigated the boy of 13 years to commit suicide by continued
harassment meted out to him on the ground that he has stolen
the mobile phone.

4. At this stage, there is no prima face case made out for the offence punishable under Section 306 of the Indian Penal Code and for want of reply, this Court is inclined to grant the interim bail to the applicant on the following conditions :

(i) The applicant - Gajanan S/o Uttamrao Kale, shall be released on bail on his executing a personal bond of Rs.15,000/- (Rs. Fifteen 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 co-operate with the Investigating Officer during investigation.

(iv) The applicant shall attend Police Station Deoli, Tah. Deoli, District Wardha once in a month on every first Thursday of the month.

5. 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.

6. The criminal application stands disposed of.

JUDGE.