

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
CRIMINAL APPLICATION (BA) NO. 371/2021

Bhimraj S/o Jondhrya Kamble & anr. Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A. V. Muley, Advocate for applicants.
Shri H. Dubey, APP for State.

CORAM : VINAY JOSHI, J.
DATE : 23.06.2021.

Hearing was conducted through Video
Conferencing.

2. Both applicants were arrested in Crime No. 202/2020 for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code. The applicants have claimed bail on the ground of innocence, false implication and inadequacy of evidence. The state resisted bail by contending that the involvement of applicants in the crime is stated by one of the witness. According to the State, the applicants have committed murder of their son-in-law and therefore, they are not entitled for bail.

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3. At the instance of report lodged by the brother of the deceased namely Amit, crime was registered. On 26.05.2020 after learning that Anil died by hanging, informants along with other relatives went to the residential place of deceased at village Mundikotha and saw his dead body. On inquiry, informant learnt from minor Abbas that co-accused Krishna and Krishnakala have strangulated his father Anil whilst present applicants assisted them in the act. The statement of Abbas is recorded by Police. Due to current pandemic situation, both the applicants are on interim bail for the period of near about one year. It is informed that minor Abbas is presently staying at Gondia with the informant.

4. The applicants are old aged persons and already on interim bail. There is no allegation of misuse of liberty during the period of interim bail. Investigation is complete and charge-sheet has been filed. Having regard to all above circumstances, applicants can be released on bail. Hence, following order:-

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(I) Application stands allowed.

(II) The applicants Bhimraj S/o Jondhrya Kamble and Sushila w/o Bhimraj Kamble are released on bail on their furnishing P.R. Bond of Rs. 25,000/- each with one or two sureties in the like amount.

(III) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

(IV) The applicants shall not enter into Gondia City till conclusion of trial.

JUDGE

Gohane.