

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

CRIMINAL APPLICATION (BA) 557 OF 2021

(Raja @ Chand Shah Sadik Shah..vs.. State, thr PSO Washim City, Washim)

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

Court's or Judge's orders.

Mr. M.N. Ali, counsel for applicant.
Mr. N.S. Rao, APP for non-applicant/State.

CORAM: ROHIT B. DEO, J.
DATE:26.07.2021.

*Hearing was conducted through video conferencing
and the learned counsel agreed that the audio and
visual quality was proper.*

Heard.

2. The applicant is in custody since 22.12.2020 in connection with Crime 1067/2020, registered with Police Station Washim City, Washim, for offences punishable under sections 302, 504, 506 read with section 34 of Indian Penal Code.

3. The deceased is one Mr. Abdul Wasim and the allegation is that due to some rivalry, co-accused Mr. Akash Gawali, alongwith three others including the applicant, assaulted Mr. Abdul Wasim and caused his death.

4. The two witnesses, who claim to have witnessed the assault are close relatives of Mr. Abdul Wasim whose statements are recorded 48 hours after the incident which allegedly occurred at 3.00 p.m. on 21.12.2020.

5. The role which is attributed to the applicant is that he held the hands of the deceased which facilitated Mr. Akash Gawali to inflict two blows with the wooden stick/log on the head, which proved fatal.

6. The applicant does not have adverse antecedents. It is not even the case of the prosecution that he constitutes a flight risk. Considering the role attributed to the applicant in the alleged incident, a case for bail is made out.

7. The applicant be released on bail in connection with Crime 1067/2020, registered with Police Station Washim City, Washim, for offences punishable under sections 302, 504, 506 read with section 34 of Indian Penal Code, on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like

amount.

8. The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.

9. The applicant shall not leave the country without the permission of the trial Court.

Judge

Belkhede