

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

LD-VC-CR. APPEAL NO. 1128 OF 2020

Gokul Nagorao Zatale

Vs.

State of Maharashtra and another.

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

Court's or Judge's Order

Shri Ved Deshpande, Advocate for appellant.
Shri N.S.Rao, Additional Public Prosecutor for respondent no.1.

**CORAM :- A.S.CHANDURKAR AND
AMIT B. BORKAR, JJ.**

DATED :- 11.08.2020

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

2. Issue notice for final disposal of the appeal, returnable in three weeks.

3. Shri N.S.Rao, learned Additional Public Prosecutor waives notice on behalf of respondent no.1.

4. Heard Shri VR.Deshpande, learned counsel for the appellant and Shri N.S.Rao, learned Additional Public Prosecutor for respondent no.1.

5. Shri Deshpande submitted that the allegation against the appellant is limited to the extent that the appellant accompanied accused no.1 to Pune. Except this allegation, there is no role assigned to the appellant. It is further pointed out that this Court in LD-VC-Criminal Appeal No.531/2020 has granted bail to the main accused and, therefore, the appellant deserves to be

enlarged on bail.

5. Shri Rao, learned Additional Public Prosecutor for State opposed for grant of bail to the appellant and pointed out that the allegations against the appellant are serious in nature and, therefore, the bail cannot be granted to the appellant.

6. Having considered the rival submissions of the respective parties, prima facie, role of the appellant in the FIR, which is limited to the extent of abetting the main accused coupled with the fact that this Court in Criminal Appeal No.531/2020 has already granted bail to the main accused, the appellant also deserves to be released on bail, subject to the conditions as under:

(i) The appellant is directed to be released on bail in Crime No.193/2020 registered at Police Station, Boregaon Manju on furnishing PR bond of Rs. 10,000/- (Rs. Ten Thousand only) with one solvent surety in the like amount with a condition that the appellant shall not enter the village Kaulkhed Gomase, Tahsil district Akola where the respondent no.2 resides. He shall not take steps to contact to respondent no.2 or influence the witnesses. He shall attend the concerned Police Station as and when directed by the Investigating Officer.

6. Respondent no.1 shall communicate the pendency of this appeal to respondent no.2.

7. To be heard along with LD-VC-CR.Appeal

No.531/2020.

8. The order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

JUDGE

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