

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

CRIMINAL APPLICATION (BA) 851 OF 2021

(Vasant @ Raju Ramdas Chalkar..vs..State, thr PSO, Tamgaon, Tq. Sangrampur, Dist.
Buldana)

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

Court's or Judge's orders.

Mr. S.I. Ghatte, counsel for applicant.
Mr. N.S. Rao, APP for applicant /State.

CORAM: ROHIT B. DEO, J.

DATE:30.08.2021.

Heard.

2. The applicant is seeking bail in connection with Crime 62/2021, registered with Police Station, Tamgaon, Tq. Sangrampur, Dist. Buldana, for offences punishable under sections 307, 504, 506 of the Indian Penal Code.

3. The applicant is in custody since 5.3.2021.

4. I have perused the material on record.

5. While the statements of the witnesses

appear to be consistent, and the version is that the applicant had an altercation with the complainant, then fetched a vegetable cutter from the house and inflicted a blow on the neck, the submission of the learned counsel is that all the witnesses are related to the complainant, and therefore, the genesis of the incident is blurred. It is further pointed out that the material on record indicates that it was the complainant who was under the influence of liquor when the alleged incident occurred.

6. It is not the case of the prosecution that the applicant has any criminal antecedent, he is not likely to be a flight risk. In this view of the matter, I find that no purpose shall be served in further incarceration.

7. The application is allowed subject to the following conditions:

(i) The applicant be released on bail in connection with Crime 62/2021, registered with Police Station, Tamgaon, Tahsil Sangrampur, Dist. Buldana, for offences punishable under sections 307, 504, 506, on

executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like amount;

(ii) The applicant shall not indulge in any criminal activity while on bail nor shall he make any attempt to influence the witnesses. Breach of this condition shall ipso facto entail in cancellation of bail, if an appropriate motion is moved;

(iii) The applicant shall report at the jurisdictional Police Station on the 1st and 15th day of every month from 10.30 a.m. to 1.30 p.m. and shall obtain acknowledgment of attendance in a diary specially maintained for that purpose. Breach of this condition shall ipso facto entail in cancellation of bail, if an appropriate motion is moved;

(iv) The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence;

(v) The applicant shall not leave the country without the permission of the trial Court.

Judge