

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

CRIMINAL APPLICATION (BA) NO. 1062 OF 2020

Rohit @ Vikrant Vijay Pillewar, Nagpur

Vs.

State of Maharashtra

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

Shri M.N. Ali, Advocate for the applicant.
Shri S.A. Ashirgade, A.P.P. for the respondent.

CORAM : PUSHPA V. GANEDIWALA, J.

DATED : JANUARY 09, 2021.

Heard.

2. This is an application for grant of bail in Crime No. 166/2020 dated 26/04/2020 registered at Police Station, Hudkeshwar, District - Nagpur for the offence punishable under Section 302 of the Indian Penal Code, 1860 (for short "IPC").

3. The allegation against the present applicant, as per the prosecution case, is that he committed murder of his father. The report is lodged by the sister of the applicant. In her report, she has stated about the weird behaviour of the applicant on the day of the incident, and when his father inquired about his such abnormal behaviour, he started beating his father uncontrollably, to which he succumbed.

4. Learned counsel for the applicant brought to the notice of this Court the medical reports of the applicant

showing his abnormal behaviour, recorded by the concerned Medical Officer at the time of examination. He further submits that as per Section 84 of IPC, if a person is incapable of knowing the nature of the act, he would come in General Exceptions of Chapter IV of IPC.

5. A perusal of the chargesheet does appear about the weird behaviour of the applicant at the time of incident. It is stated that he was having too much passion for gym and used to take steroids and proteins on daily basis. During lockdown, as he could not attend gym for about one month, he got depressed and frustrated and lost his mental balance, and a day before the incident, he had been assaulted on his head by means of 'Bamboo' by one of his friends, and the said injury is reflected in the MLC report, annexed with the chargesheet.

6. It is further stated that right now, the behaviour of the applicant, in jail, is normal. However, learned A.P.P. expressed apprehension that there is no assurance that the present applicant may become violent at any time, and hence, the learned A.P.P. urges to obtain surety from the mother of the applicant.

7. Considering the aforesaid circumstances, this Court is inclined to grant bail to the present applicant by imposing following conditions :-

i. The applicant Rohit @ Vikrant Vijay Pillewar, be released on bail on his furnishing PR bond in the sum of

Rs.20,000/- (rupees twenty thousand) with one solvent surety in the like amount.

ii. The applicant shall not tamper with the prosecution evidence or issue threats to the witnesses.

iii. The applicant to attend the concerned police station on every first Thursday of each month between noon to 2.00 pm.

iv. The mother and sister of the applicant shall give undertaking that they shall avail outpatient treatment for the applicant for his psychiatry.

8. The Criminal Application is allowed and disposed of accordingly.

9. The aforesaid observations are only for granting bail to the applicants, and the same shall not come in the way of the trial Court, during trial.

JUDGE