

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

CRIMINAL APPLICATION (BA) 1135 OF 2021

(Vikas Bala Lode..vs.. State, thr PSO, PS Padoli, Dist. Chandrapur)

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

Court's or Judge's orders.

Mr. A.A. Dhawas, counsel for applicant.
Mr. N.S. Rao, APP for non-applicant /State.

CORAM: ROHIT B. DEO, J.

DATE: 24.11.2021.

Heard.

2. The applicant is seeking bail in connection with Crime 100/2021, registered with Police Station Padoli, District Chandrapur, for offence punishable under section 307 of the Indian Penal Code.

3. The prosecution case is that on 15.7.2021, pursuant to an altercation, pertaining to the discharge of duties, the applicant-worker assaulted Mr. Bera, the supervisor of the factory with an iron rod.

4. The investigation is complete and the chargesheet is filed.

5. I have perused the material in the chargesheet including the medical papers.

6. While, it would not be appropriate to minutely evaluate the material, I am satisfied that further incarceration would not be necessary considering that the applicant-worker has no criminal antecedents and that the incident does not appear to be premeditated in the sense that even according to the prosecution, the applicant-worker was not armed with any weapon, as such and he picked up iron pipe which was lying on the spot and allegedly dealt one blow, albeit to the head of Mr. Bera.

7. However, considering that the victim is bound to feel insecure if the applicant is permitted to reside within the vicinity, appropriate conditions shall have to be imposed.

8. This application is allowed subject to the following conditions:

- (i) The applicant be released on bail in connection with Crime 100/2021, registered

with Police Station Padoli, District Chandrapur, for offence punishable under section 307 of the Indian Penal Code, on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like amount.

(ii) Till the conclusion of the trial, the applicant shall not enter the territorial limits of village Padoli, District Chandrapur without specific permission of the trial Judge.

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

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

Judge