

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

CRIMINAL APPLICATION (BA) 1144 OF 2021

(Saurabh s/o. Dhanraj Madane..vs.. State, thr PSO, PS Walgaon, Amravati, Dist. Amravati)

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

Court's or Judge's orders.

Mr. P.R. Agrawal, counsel for applicant.
Mrs. K.R. Tiwari, 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 657/2021, registered with Police Station Walgaon, Amravati, for offences punishable under sections 307, 201 read with section 34 of the Indian Penal Code.

3. While the chargesheet is not submitted as yet, the learned APP Mrs. K.R. Deshpande fairly states that the investigation is complete and the chargesheet is likely to be filed within a day or two.

4. I have scrutinized the case diary and since the investigation is complete, there is no likelihood of the chargesheet containing any further material.

5. The incident apparently occurred due an altercation in a liquor bar between co-accused Yogesh @ Golu and the injured Rahul @ Pravin. While it would not be necessary to record in detail the version of the injured pertaining to the cause of the dispute, suffice it to note that according to the injured, it was co-accused Yogesh, who stabbed him with knife on the stomach. The Medico Legal Certificate refers to two injuries on the front side of the body and one is a stab injury to the stomach which substantiates the version of the injured. In so far as the applicant is concerned, the injured does not appear to be certain about the weapon used, however, he states that the applicant dealt a blow on the back with sharp aged weapon. Broadly similar act is attributed to the other co-accused Nilesh Ugle. The injured suffered two injuries on the back, neither appears to be life threatening. The injury appears to be to the left shoulder.

6. A statement is made that the applicant has no criminal antecedents. The learned APP fairly does not rebut the submission.

7. Considering the nature of the material and the role attributed, and particularly, the fact that the applicant has no criminal antecedents, I am inclined to grant bail.

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

(i) The applicant be released on bail in connection with Crime 657/2021, registered with Police Station Walgaon, Amravati, for offences punishable under sections 307, 201 read with section 34 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) The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.

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

Judge