

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

Criminal Application (BA) No. 1248 of 2021

(Akshay Ramshankar Nandurkar ..vs.. The State of Maharashtra through PS.O., Sewagram, Wardha,
Tah. Distt. Wardha)

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

Court's or Judge's orders

Mr. S. A. Lambat, Advocate for the applicant
Mr. N. S. Rao, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 13-12-2021

Heard.

2. The applicant is seeking bail in connection with Crime 349/2021 registered at Police Station, Sewagram, District Wardha for offence punishable under Section 302 of the Indian Penal Code.

3. The applicant is accused of having killed one Samrat Waghmare between 25-6-2021 and 26-6-2021.

4. The body of deceased was discovered with severe head injuries apparently inflicted by a big stone at 8.00 a.m. or thereabout on 26-6-2021.

5. It is common ground that the only incriminatory material against the applicant is the statement of witness

Ram Pawar, who says that between 10.00 p.m. to 10.30 p.m., when he was sitting on the road in front of his house, he saw the applicant running in a frightened condition from the direction of the spot of the incident.

6. Without intending to make any observation on the merits of the prosecution case, and indeed no positive observation is necessary to decide the entitlement of bail, I am inclined to grant bail particularly, considering that the applicant has no criminal antecedent.

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

(i) The applicant be released on bail on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with 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

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