

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1544 OF 2022

Sandeep Bhagwat Jawale

...Applicant

Versus

The State Of Maharashtra And Another

...Respondents

Mr. S.S. Rathi, Advocate for the applicant.

Mr. N.T. Bhagat, APP for respondents- State.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 7th DECEMBER, 2022

ORDER :

1. The applicant apprehends his arrest in Crime No. 336/2022 registered with Muktai Nagar Police Station, Jalgaon, for the offence punishable under section 304 of the Indian Penal Code.

2. It is alleged in the First Information Report that the applicant erected wire fencing around his agricultural land and supplied electric current to it. Due to electric shock of the same, one unknown person expired. Hence, the applicant has committed offence under section 304 of IPC.

3. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

4. Prima facie, it appears that the applicant erected wire fencing around his agricultural land and supplied current to it to protect his crops from wild animals. Unfortunately, one unknown person has lost his life.

5. Crime is registered in the month of September-2022. The investigation is almost complete. Spot panchnama is conducted, erected fence etc., is seized by the police authorities. Pre-trial custodial detention of the applicant is not warranted in the facts of the present case, as nothing is to be recovered from the applicant. In that view of the matter, the application is allowed by confirming the interim order dated 18.11.2022.

6. Till filing of charge sheet, the applicant shall attend the concerned police station as and when called by the investigating officer. The applicant shall co-operate in the investigation and shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]