

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

Criminal Application (BA) No.284/2022

Shubham Kale V State of Maharashtra thr PSO PS Wardha City, Wardha

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.S. Pande, Advocate for applicant.

Shri A.M. Deshpande, APP for State.

CORAM : ANIL S. KILOR, J.
DATE : 15-06-2022

The applicant has approached to this Court by filing the present application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.0600/2021 dated 16-06-2021 registered with Police Station Wardha, District Wardha for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code.

2. The learned Counsel for the applicant submits that after completion of investigation, the chargesheet has been filed and further custody of the applicant is not necessary. It is submitted that there are no criminal antecedents against the applicant. He further submits that the applicant is in jail since 16-06-2021. Accordingly, he prays for grant of bail.

3. The learned APP, on the other hand, strongly opposed the application and submits that there is sufficient material to

show the involvement of the applicant in the alleged crime. It is further submitted that the offence is serious and there are criminal antecedents against the applicant. Accordingly, he prays for rejection of the bail application.

4. I have perused the case diary and the contents of the First Information Report (FIR). As far as the criminal antecedents are concerned, the offences registered against the applicant are under the Prohibition Act. Thus, not relevant for this case.

5. As far as the present case is concerned, after completion of the investigation the chargesheet has been filed. Hence, further custody of the applicant is not necessary. The applicant is in jail since 16-06-2021 i.e. from last one year.

6. In that view of the matter and in view of the fact that there is nothing to show that if the applicant is released on bail he would pressurize the prosecution witnesses or tamper the prosecution evidence and/or he will not be available for the trial, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order :-

ORDER

- i) Application is allowed.

ii) The applicant in Crime No.0600/2021 dated 16-06-2021 registered with Police Station Wardha, District Wardha for the offence punishable under Section 307 read with Section 34 of the Indian Penal Code, be released on bail on furnishing P.R. Bond of Rs. 15,000/- with one solvent surety in the like amount.

iii) The applicant shall attend the concerned Police Station as and when his presence is required.

iv) The applicant shall not pressurize the prosecution witnesses or tamper with the prosecution evidence.

(Anil S. Kilor, J.)