

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

CRIMINAL APPLICATION (BA) NO.424 OF 2022

Raj @ Dhanraj S/o Dilip Sarsiya

Versus

State of Maharashtra, through P.S.O., P.S. Digras, Tal. Digras, Dist. Yavatmal

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri N.R. Tekade, Advocate for the applicant.

Shri A.M. Deshpande, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 14/06/2022

1. The applicant is seeking bail in Crime No.1280 of 2021, dated 09.11.2021, registered with Police Station Digras, District: Yavatmal, for the offences punishable under Sections 143, 147, 148, 149, 323, 324, 326, 307, 302 and 395 of the Indian Penal Code and Sections 4 and 25 of the Arms Act.

2. Shri Tekade, learned counsel for the applicant submits that after completion of the investigation, the charge-sheet has been filed and no further custody of the applicant is necessary.

3. The learned counsel for the applicant further submits that there are counter FIRs and FIR lodged by the Ranjana Sohan Sirsiya who is wife of one of the co-accused in present FIR the offence was registered under Sections

143, 147, 148, 149, 324, 323, 435, 452, 427 and Sections 4 and 25 of the Arms Act and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act. The said crime was registered against 53 accused persons.

4. On the other hand, Shri Deshpande, learned APP strongly opposes the present application and submits that sufficient material is collected by the Investigating Agency to show the involvement of the applicant in the alleged offence. Accordingly, he prays for rejection of the application.

5. I have perused the charge-sheet and also the contents of the First Information Report (FIR).

6. The Investigating Agency has filed charge-sheet on completion of investigation. There are counter FIRs, making similar allegations against each others. In view of the fact that, the charge-sheet has already been filed and custody of the applicant is no more required. I am of the opinion that the applicant is entitled for grant of bail. Moreover, there is nothing to show that there is any possibility that the applicant would pressurize the prosecution witnesses or tamper with the prosecution evidence or he will not be available for the trial, if he is granted bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.

- b) It is directed that the applicant shall be released on bail in Crime No.1280 of 2021, registered with Police Station Digras, District: Yavatmal, for the offences punishable under Sections 143, 147, 148, 149, 323, 324, 326, 307, 302 and 395 of the Indian Penal Code and Sections 4 and 25 of the Arms Act, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station as and when his presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]