

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

CRIMINAL APPLICATION (BA) NO.373 OF 2022

Daddu @ Praful Chotu Damaye and another

Vs.

State of Maharashtra, Through P.S.O. Rajapeth, Amravati, District Amravati

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

Court's or Judge's orders

Mr. Mahesh Rai, Advocate for applicants.
Mrs. T. Udeshi, APP for non-applicant/State.

CORAM : AVINASH G. GHAROTE, J.

DATE : 05/05/2022

Heard Mr. Rai, learned counsel for the
applicant and Mrs. Udeshi, learned APP for
non-applicant/State.

2. The applicants have been arraigned for the offence punishable under Sections 307, 363 and 506 read with Section 34 of the Indian Penal code and under Section 3/25 of the Arms Act in Crime No. 177 of 2022.

3. The date of the incident is 08.03.2022 at about 00.40 a.m., when the accused no.1, who was on a motorcycle accompanied by accused no.2 is said to have caught hold of the hand of the victim, who had come out of the house and in spite of opposition by the persons present there, took out a revolver from his case and fired bullet in the air to frighten them off and carried the victim away. It is alleged that the applicants who were

standing some distance away on a motorcycle had assisted him in doing so.

4. I have perused the case diary, as produced by learned APP. That is the only role attributed to the present applicants, who were apprehended and arrested on the same day. Considering that no overt act is attributed to the applicants, a case for bail is made out however, as the investigation is still going on account of the accused nos.1 and 2 being absconding, stringent conditions will have to be imposed. Hence, the following order.

ORDER

(i) The application is allowed.

(ii) The applicants be released on bail in Crime No.177/2022 registered with Police Station, Rajapeth, Amravati, District Amravati, for the offence punishable under Sections 307, 363 and 506 read with Section 34 of the Indian Penal Code and under Section 3/25 of the Arms Act, on their executing P.R. bond in the sum of Rs.75,000/- (Rupees Seventy Five Thousand only) each with two solvent sureties of the like amount.

(iii) The applicants shall not, directly or indirectly make any attempt to influence the witnesses or otherwise tamper with the evidence.

(iv) The applicants shall attend the concerned Police Station on every Monday and Thursday between 2.00 p.m. to 5.00 p.m. till the filing of the charge-sheet and shall co-operate with the Police Authorities.

(v) A separate diary would be maintained by them in which their presence shall be recorded.

(vi) After the charge-sheet is filed, the applicants shall attend the trial Court on each and every date and shall ensure that the trial is not protracted on that count.

(vii) The applicants shall not indulge into any criminal activity while on bail.

(viii) Violation of any of the above conditions shall result in cancellation of bail.

JUDGE

Sarkate