

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

CRIMINAL APPLICATION (BA) NO.401/2022

Abhijeet s/o Vilas Sirsat

...Versus...

State of Maharashtra, Through Police Station Officer, Police Station Ural,
Tq. Balapur, Distt. Akola

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

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for applicant
Shri A.R. Chutke, APP for non-applicant/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 05/05/2022

1. Heard Shri Sirpurkar, learned Counsel for the applicant and Shri Chutke, learned Additional Public Prosecutor for the non-applicant/State.
2. The applicant has been arraigned for the offence punishable under Sections 302, 201, 120-B read with Section 34 of Indian Penal Code in Crime No.319/2021, registered with Police Station Ural, Tq. Balapur, District Akola.
3. In Criminal Application (BA) No.154/2022 by the order dated 06/04/2022 while enlarging Santosh Himmatrao Tayade/accused no.1 and another on bail, I have considered

the entire charge-sheet and have found discrepancies therein. Insofar as the present applicant is concerned, there are statements of co-accused against him, which are inadmissible. Insofar as statement of Arvind More (pg.203) and Babarao More (pg. 204), it will attribute a quarrel between Kashinath and the applicant and his family members on 09/09/2021 and nothing else, considering which, the position as is discussed in the order dated 06/04/2022, passed in Criminal Application (BA) No.154/2022 would squarely cover the present application also, considering which, the following order :

ORDER

(i) The applicant - Abhijeet s/o Vilas Sirsat be released on bail in Crime No.319/2021 for the offence punishable under Sections 302, 201, 120-B read with Section 34 of Indian Penal Code registered with Police Station Ural, District Akola on his executing PR. Bond in the sum of Rs.1,00,000/- (Rupees One Lakh Only) with two solvent sureties in like amount

(ii) The applicant shall not tamper with the prosecution evidence directly or indirectly or undue influence the prosecution witnesses in any manner whatsoever.

(iii) The applicant shall not enter the jurisdiction of Balapur Tahsil till the trial is over.

(iv) The applicant shall attend each and every date of trial before the learned Sessions Court and shall ensure that the trial is not protracted in any manner on his count.

(v) The applicant shall not indulge into any criminal activity of any nature whatsoever while on bail.

(vi) Any violation of the above conditions shall result in cancellation of bail.

(AVINASH G. GHAROTE, J.)

Wadkar