

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

CRIMINAL APPLICATION (BA) NO.469 OF 2022

Naresh Ganpat Shrirame **Versus** State of Maha. thr. PSO, Chimur, Dist. Chandrapur

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

Court's or Judge's Order

Ms Ameya S. Ghatole, Adv. h/f Shri S.R. Agrawal, Adv. for applicant.
Shri H.D.Dubey, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 20/06/2022

1. Heard.
- 2 The applicant is seeking bail in Crime No. 541/2021, dated 31/12/2021, registered with Police Station Officer, Chimur, Tq. Chimur, District- Chandrapur, for the offences punishable under Sections 307, 324, 504 read with Section 34 of the Indian Penal Code.
- 3 Learned counsel for the applicant submits that the applicant is in jail since last six months. As the charge sheet has been filed, the custody of the applicant is not necessary. He submits that now its a rainy season and as the applicant is an agriculturist, if he is released on bail, he can do the agricultural operations which is the only source of income of the applicant and his family.
4. On the other hand, learned APP strongly opposes the application and submits that there is sufficient material

available on record to show the involvement of the applicant in the alleged offence.

5. Learned APP further submits that the offence is serious and there is every likelihood that the applicant may pressurize the prosecution witnesses and in that case, there will be no fair trial.

6. Learned APP points out the injury and submits that the injury report supports the case of the prosecution. The offence is serious and looking to the injury report, it can be seen that there were multiple injuries.

7. I have perused the charge-sheet and the FIR. As the charge-sheet has already been filed, the custody of the applicant is no more required.

8. As far as the apprehension expressed by the learned APP that there is possibility that the applicant may pressurize the prosecution witnesses, some stringent conditions can be imposed.

9. The applicant is in jail since last six months, and there are no criminal antecedents to the discredit of the applicant. After going through the impugned judgment and order and in view of the fact that the trial is not going to be concluded in near future, I am of the opinion that this application needs to be allowed. Accordingly, I pass the following order :

- i) The application is **allowed**.

- ii) It is directed that the applicant shall be released on bail in connection with Crime No.541 of 2021, registered with Police Station, Chimur, District: Chandrapur for the offences punishable under Sections 307, 324, 504 read with Section 34 of the Indian Penal Code on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.
- iii) The applicant shall not tamper with the prosecution evidence.
- iv) The applicant shall not leave the jurisdiction of the concerned Police Station without leave of this Court and the applicant shall not enter into the vicinity of Tahsil Chimur District Chandrapur, except for the trial.

The Criminal Application is **disposed of** accordingly

JUDGE