

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

CRIMINAL APPLICATION (BA) NO.497 OF 2022

Ravi s/o Baban Waghmare **Versus** State of Maha. thr. PSO, PS Washim City, Tq & District Washim.

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

Court's or Judge's Order

Shri S.D Chande, counsel for the 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. 285/2022, dated 09/04/2022, registered with Police Station, Washim (City), District Washim, for the offences punishable under Sections 307 and 506 read with Section 34 of the Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant is in jail since last two months and nothing has been recovered from the applicant. It is submitted that custody of the applicant is no more required in this case. Moreover, his name was not featured in the FIR, however subsequently he has been arraigned as accused.

4. Learned counsel for the applicant, therefore, submits that he has been falsely implicated in the alleged offence, and accordingly he prays for grant of interim bail.

5. On the other hand learned APP strongly opposes the application and he submits that while he was running, he was caught hold by the Police, and accordingly the offence was registered against him. Thus, learned APP prays for rejection of the present application.

6. I have perused the Case Diary, FIR and the documents filed along with the present application.

7. The name of the applicant was not featured in the FIR, initially however he was subsequently arraigned as accused. The applicant is in jail since last two months, and nothing has been recovered from the applicant. *Prima-facie*, there is no incriminating material available on record to show the involvement of the applicant. In that view of the matter and furthermore, as there is nothing to show that if the applicant is released on bail, he may pressurize the prosecution witnesses or tamper with the prosecution evidence or he will not be available for trial. 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.285 of 2022, registered with Police Station, Washim (City), Tq. & District- Washim, for the offences punishable under Sections 307 and 506 r/w 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.

The Criminal Application is **disposed of** accordingly

JUDGE