

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

CRIMINAL APPLICATION (BA) NO. 598 OF 2022

Rohidas Muneshwar and another **Versus** State of Maharashtra, thr. PSO., PS Gadchandur, District Chandrapur.

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

Court's or Judge's Order

Shri Y.B.Mandpe, Counsel for the applicants.

Shri V.A.Thakre, A.P.P. for the non-applicant /State.

CORAM : ANIL S. KILOR, J.

DATED : 14/07/2022.

1. The applicant is seeking bail in connection with Crime No. 386/2021, registered with Police Station Gadchandur, District Chandrapur, for the offences punishable under Sections 307 and 285 read with Section 34 of the Indian Penal Code, 1860.

2. Shri Y.B. Mandpe, learned counsel for the applicants submits that the applicants and the informant are the close relatives and the incident took place in a fit of anger, however, there was no such intention to commit offence.

3. It is submitted that, the applicants is in jail since October-2021 i.e. for about eight months and his further custody is not required. In view of the fact that, after completion of the investigation, the charge-sheet has been filed. Accordingly, he prays for grant of bail.

4. On the other hand, Shri V.A. Thakre, learned APP strongly opposed the present application and submits

that sufficient incriminating material is collected by the Investigating Officer, during the investigation, which shows involvement of the applicant in the alleged offence. Accordingly, he prays for rejection of the present application.

5. I have perused the Charge-sheet, Application and the Reply filed by the State.

6. From the record, it appears that the applicants and the informant are the close relatives. It further appears that the quarrel took place between wife and daughter of the complainant and the applicant No.1 and in the said quarrel, the informant caused burn injury.

7. In this case, after completion of the investigation the charge-sheet has been filed. As such, the further custody of the applicant is no more required. As far as the apprehension of the learned APP that, the applicants would pressurize the prosecution witnesses, the said apprehension can be addressed by putting some stringent conditions. Accordingly, I pass the following order.

- i) The criminal application is **allowed**.
- ii) It is directed that the applicants shall be released on bail in connection with Crime No. 386/2022, registered with Police Station-Gadchandur, Tq. & Dist. Chandrapur for the offences punishable under Sections 307 and 285 read with Section 34 of the Indian Penal Code, 1860 on furnishing P.R. Bond in the sum of

Rupees Twenty Five Thousand each with one solvent surety in the like amount for each of the applicants.

iii) The applicants shall not enter into the territorial jurisdiction of Gadchandur, District Chandrapur, till the culmination of trial, except for the trial.

iv) The applicant shall provide address of the Police Station.

v) The State is at liberty to move application for cancellation of bail, in case of breach of any condition.

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

[ANIL S. KILOR, J.]