

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

Criminal Application (BA) No.611/2022

Prathamesh Koyare V State of Maharashtra thr PSO PS Ashti, Wardha and another

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

Court's or Judge's Orders

Shri H.S. Chilotra, Advocate for applicant.

Shri V.A. Thakare, APP for State.

CORAM : ANIL S. KILOR, J.

DATE : 05-07-2022

The applicant has approached to this Court by filing the present application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.0070/2022 dated 22-03-2022 registered with Police Station Ashti, District Wardha for the offence punishable under Section 305 of the Indian Penal Code.

2. The learned Counsel for the applicant submits that the applicant has been falsely implicated in this case. He submits that there is nothing to show that the applicant is the abettor in this case. However, on suspicion and on a statement of a friend of the deceased, which was recorded after two days of the incident, the applicant has been arraigned as accused.

3. He further submits that further custody of the

applicant is not required. In that view of the matter and the fact that the chargesheet has been filed, he prays for grant of bail.

4. On the other hand, learned APP strongly opposed the application.

5. I have perused the chargesheet and the First Information Report.

6. From the chargesheet it appears there was a love affair in between the applicant and the deceased. Prima facie, except the statement recorded on 22-03-2022 of the friend of the deceased there is nothing to show that the applicant is the abettor and he is responsible for the commission of suicide by the deceased.

7. Furthermore, as the investigation is over and the custody of the applicant is no further required, I am of the opinion that by putting some stringent conditions the applicant can be released on bail. Hence, I pass the following order:-

ORDER

i) Application is allowed.

ii) The applicant in Crime No.0070/2022 dated 22-03-2022 registered with Police Station Ashti, District

Wardha for the offence punishable under Section 305 of the Indian Penal Code, be released on bail on furnishing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.

iii) The applicant shall not enter the territorial jurisdiction of Ashti, till completion of trial, except for the purposes of attendance in trial.

iv) The applicant shall attend the concerned Police Station on first day and 16th day of every month between 10.00 am to 12.00 noon, till the culmination of trial.

(Anil S. Kilor, J.)