

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

Criminal Application (BA) No.684/2022

Kashinath @ Dagadu Bhise V State of Maharashtra thr PSO PS Pusad City, Yavatmal

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

Court's or Judge's Orders

Shri A.V. Band, Advocate for applicant.
Shri Ashish Kadukar, APP for State.

CORAM : ANIL S. KILOR, J.
DATE : 29-06-2022

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.0143/2022 dated 26/03/2022 registered with Police Station Pusad City, District Yavatmal for the offences punishable under Sections 326, 504, 506 read with Section 34 of the Indian Penal Code.

2. The learned Counsel for the applicant submits that the applicant is in jail since 31-03-2022 and as the investigation is over and the chargesheet has already been filed, further custody of the applicant is not necessary. He further submits that the applicant has been falsely implicated in the alleged offence. Accordingly, he prays for grant of bail.

3. On the other hand, learned APP strongly opposed the application and submits that the offence is very serious. Accordingly, he prays for rejection of the bail application.

4. I have perused the chargesheet, First Information report (FIR) and the reply of the learned APP.

In this case, after completion of the investigation, chargesheet has been filed. Considering the allegations made in the FIR, I am of the opinion that further custody of the applicant is not necessary. Moreover, there is nothing to show that if the applicant is released on bail, there is any possibility that the applicant will pressurize the prosecution witnesses or tamper with the prosecution evidence and/or he will not be available for the trial.

5. In the circumstances and in view of the fact that there are no criminal antecedents to the discredit of the applicant, I pass the following order:-

ORDER

i) Application is allowed.

ii) The applicant in Crime No.0143/2022 dated 26/03/2022 registered with Police Station Pusad City, District Yavatmal for the offences punishable under

Sections 326, 504, 506 read with Section 34 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 attend the concerned Police Station on first day of every month between 10.00 am to 12.00 noon, till the culmination of trial.

iv) Liberty is granted to the State to move an application for cancellation of bail in case breach of any conditions or if the applicant repeats the offence.

(Anil S. Kilor, J.)