

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

Criminal Application (BA) No.845/2022

Mansaram Tele V State of Maharashtra thr PSO PS Nandgaon Khandeshwar, Amravati

Office notes, Office Memoranda of

Coram, appearances, Court's orders

Court's or Judge's Orders

or directions and Registrar's orders.

Shri P.R. Agrawal, Advocate for applicant.

Shri S.D. Sirpurkar, APP for State.

CORAM : ANIL S. KILOR, J.

DATE : 25-07-2022

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.0248/2022 registered with Police Station Nandgaon Khandeshwar, District Amravati Rural for the offences punishable under Sections 143, 147, 148, 149, 326, 323, 341, 504, 506 of the Indian Penal Code.

2. Learned Counsel for the applicant has submitted that the applicant is the brother of one Annaji Tele whose daughter Ranjana was married to Santosh and as there was matrimonial dispute which resulted into lodging of FIR against the husband of said Ranjana and others. He submits that considering the age of the applicant and the fact that initially the name of the applicant was not featured in the FIR but was arraigned subsequently as

accused it is clear that he has been falsely implicated in the alleged offence. Hence, the applicant may be released on bail. He further submits that the applicant is in jail from 24-06-2022, as such further custody of the applicant is not necessary.

3. On the other hand, learned APP strongly opposes the application.

4. I have perused the case diary and the First Information Report (FIR).

5. It appears that out of matrimonial dispute, about three FIRs were lodged against each others by both the sides. Initially, the name of the applicant was not in the FIR, however, it was subsequently added.

6. Thus, in the above referred backdrop considering the fact that the applicant is in jail for more than one month and also considering the age of the applicant, I am of the opinion that his further custody is not necessary. Accordingly, I pass the following order:-

ORDER

- i) Application is allowed.
- ii) The applicant in Crime No.0248/2022 registered

with Police Station Nandgaon Khandeshwar, District Amravati Rural for the offences punishable under Sections 143, 147, 148, 149, 326, 323, 341, 504, 506 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 directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence.

(Anil S. Kilor, J.)