

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

Criminal Application (BA) No. 887 of 2022

Darshan Babarao Nandedkar

Versus

State of Maharashtra, through Police Station Officer, Frezarpura,
Dist. Amravati

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

Court's or Judge's Order

Shri P.V.Navlani, Advocate for the applicant.

Shri Ashish Kadukar, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 4th August, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 406 of 2022 registered with Police Station Frezarpura, Dist. Amravati for the offence punishable under Sections 307, 354, 354-A, 323, 504 and 506 of Indian Penal Code.

2. Learned counsel for the applicant submits that he has been falsely implicated in the alleged offence. It is further submitted that the applicant is in jail since 24th June, 2022 i.e. for about one and half

months and as the investigation is almost completed, his further custody is not required.

3. On the other hand, learned Additional Public Prosecutor strongly opposed the application and submits that considering the nature of the allegations, if the applicant is released on bail, he may pressurize the prosecution witnesses and as the investigation is going on, it will affect the investigation.

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

5. From the case diary, it can be seen that investigation is almost completed. Further considering the nature of the allegations mentioned in the First Information Report, I am of the opinion that the custody of the applicant is not necessary.

6. As far as the apprehension expressed by the learned Additional Public Prosecutor that if the applicant is released on bail, he may pressurize the prosecution witnesses, the said apprehension can be addressed by imposing certain stringent conditions. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. It is directed that the applicant shall be released on bail in Crime No. 406 of 2022 registered with Police Station Frezarpura, Dist. Amravati for the offence

punishable under Sections 307, 354, 354-A, 323, 504 and 506 of Indian Penal Code, on furnishing P.R.Bond of Rs.25,000/- with a solvent surety in the like amount;

iii. The applicant shall not enter the territorial jurisdiction of Amravati City and Gram Rajura, Tq. & Dist. Akola till filing of the chargesheet, except for attending concerned police station;

iv. The applicant shall attend the concerned Police Station on 1st of each month between 10 am to 12 noon till culmination of trial;

v. 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 to tamper with the evidence;

vi. State is at liberty to apply for cancellation of bail, in case the applicants commits similar offence.

[ANIL S. KILOR, J.]

SACHINDANAND
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