

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

Criminal Application (BA) No. 1261 of 2022

Ajabrao S/o Yadavrao Lilhare

Versus

State of Maharashtra, through Police Station Officer, Tirora, Dist. Gondia

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

Court's or Judge's Order

Shri R.A.Biranware, Advocate for the applicant.

Shri V.A.Thakare, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 23rd NOVEMBER, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 1011 of 2022 registered with Police Station Tirora for the offence punishable under Sections 304, 304(A), 201 of Indian Penal Code and Section 135 of Electricity Act.

2. As per the prosecution story the deceased came in contact with the live electric wire led by the applicant and because of the electrocution he died. It is the case of the applicant that to prevent animals from entering into the agricultural field and to prevent

damages to the standing crop, the said live electric wire was led.

3. The applicant is in jail since 26th September, 2022 i.e. from last three months. The investigation is almost completed and as such the further custody of the applicant is not necessary. In the circumstances, though learned Additional Public Prosecutor is opposing the the present application, the applicant is entitled for grant of bail. Accordingly, I pass the following order.

- i. The criminal application is allowed.
- ii. It is directed that the applicant shall be released on bail in Crime No. 1011 of 2022 registered with Police Station Tirora for the offence punishable under Sections 304, 304(A), 201 of Indian Penal Code and Section 135 of Electricity Act, 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 as and when his presence is required;
- iv. The applicant shall not tamper with the prosecution witnesses;
- v. The applicant shall not leave the jurisdiction of the concerned Police Station without permission of the Court.

Digitally signed
by
SACHINDANAND
K NAIR
Date: 2022.11.25
10:32:00 +0530

[ANIL S. KILOR, J.]