

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

Criminal Application (ABA) No. 772 of 2022

PRASHANT S/O. WASUDEORAO VERULKAR

VS

STATE OF MAH. THR. PSO, ARVI, TAHSIL - ARVI, DIST. WARDHA

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

Court's or Judge's Order

Shri M.V. Rai, Advocate for the applicant.

Shri S.D. Sirpurkar, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 28.11.2022.

The applicant is seeking bail under Section 438 of the Code of Criminal Procedure in Crime No. 930 of 2022 registered with Police Station : Arvi, District : Wardha, for the offence punishable under Sections 304 of the Indian Penal Code.

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. In that view of the matter and looking to the allegation made in the FIR, *prima facie* there is no intention of the applicant to harm the deceased. Accordingly, I pass the following order:

- i. The criminal application is **allowed**.
- ii. It is directed that in the event of arrest the applicant shall be released on bail in Crime No. 930 of 2022 registered with Police Station : Arvi, District : Wardha, for the offence punishable under Sections 304 of the Indian Penal Code, on furnishing P.R.Bond of Rs.15,000/- 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.

[ANIL S. KILOR, J.]