

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

CRIMINAL APPLICATION (BA) NO.1270 OF 2022

(SHASHANK SATISH SAKHARE...VS.. STATE OF MAH. THR. PSO PS JARIPATKA, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.V.Rai, Advocate for Applicant.
Shri S.D.Sirpurkar, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : DECEMBER 14, 2022.

1. Heard.
2. The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No.150 of 2022, registered with Police Station, Jaripatka, Nagpur for the offences punishable under Sections 307, 323, 427 read with Section 34 of the Indian Penal Code.
3. As per the prosecution story the applicant along with his associates-co-accused Nos. 2 and 3 chased the informant equipping with sticks and stones. They had beaten the informant when the accused No.1 had caught hold the informant materially on his head and other body parts and caused him grievous injuries. As per the case of the prosecution, that incident was preceded by a trifle dispute. The prosecution has specifically objected present bail application on the ground that the applicant is a habitual criminal who has been committing repeatedly serious crimes like present one. It is also the case of

prosecution that around 14 crimes, mostly in the serious and special categories of crimes, were thus committed. Therefore, the prosecution has raised strong objection.

4. In this crime after completion of the investigation, charge-sheet has been filed. The applicant is in jail from last nine months and after going through the injury report, it appears that there were two injuries, one was simple and another was grievous. However, the grievous injury is not on vital part of the body of the informant.

5. In these circumstances, as the investigation is completed and no further custody of the applicant is necessary, I pass the following order:

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in connection with Crime No.150 of 2022, registered with Police Station, Jaripatka, Nagpur for the offences punishable under Sections 307, 323, 427 read with Section 34 of the Indian Penal Code, on his furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand 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 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;
- v) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence.
- vi) The applicant shall attend the trial before the Sessions Court regularly on every date unless exemption is granted by the Sessions Court.

The Criminal Application is **disposed of** accordingly.

JUDGE

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