

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

CRIMINAL APPLICATION (BA) NO.1305 OF 2022

Wasudeo S/o Shrawan Mundekar .Vs. State of Maharashtra, through P.S.O., P.S.
Mauda, Dist. Nagpur

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

Court's or Judge's Order

Shri A.C. Jaltare, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 14/12/2022

1. Heard.
2. The applicant is seeking bail in Crime No.660 of 2022, registered with Police Station: Mauda, District: Nagpur, for the offences punishable under Sections 302, 324, 341, 504 read with Section 34 of the Indian Penal Code.
3. The prosecution story is that, the deceased had borrowed Rs.5,000/- from the applicant. That upon failure to repay the amount there was altercation between the deceased and applicant on 30.10.2021. The applicant thereupon assaulted the deceased with wooden stump and shovel (fawda) injuring the deceased on vital parts causing grievous injuries.

4. In this case, the investigation is completed and the charge-sheet has been filed. The applicant is in jail from 05.11.2021. Recently the applicant was hospitalized due to his ill-health and now again shifted to the jail. The post mortem report shows that there are 34 injuries and as per the First Information Report, the applicant was having a stick at the time of incidence.

5. Considering the age of the applicant and the fact that, the deceased died after four days on hospitalization and further as there is no possibility that the applicant will not be available for trial, I am of the opinion that the applicant should be released on bail on certain stringent conditions. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No.660 of 2022, registered with Police Station: Mauda, District: Nagpur, for the offences punishable under Sections 302, 324, 341, 504 read with Section 34 of the Indian Penal Code, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall not enter into the territorial jurisdiction village Dhanala, Tq. Mauda, Dist. Nagpur, till the culmination of the trial, except for trial.
- d) The applicant shall attend the concerned Police Station on 1st and 16th of each month between 10.00 a.m. to 12.00 noon, till the culmination of the trial.
- e) The applicant shall not tamper with the prosecution witnesses.

The criminal application is **disposed of** accordingly.

JUDGE