

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

**CRIMINAL APPLICATION (ABA) NO. 03 OF 2023**

ANANDRAO S/O PANDURANG DAMBHARE

VS

STATE OF MAH. THR. PSO GIRAD TQ. SAMUDRAPUR DIST. WARDHA

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr. M. V. Rai, Advocate for applicant.  
Mr. N. R. Rode, APP for respondent.

**CORAM : ANIL L. PANSARE J.**

**DATE : 17/01/2023**

The applicant is apprehending arrest at the hands of Police Station, Girad, Tahsil Samudrapur, District Wardha for the offence punishable under Section 304 of Indian Penal Code. The FIR has been lodged against the applicant on 18/12/2022 vide Crime No.349/2022 with the Police Station, Girad, District Wardha.

2. Briefly stated the prosecution case is that, one Dharamraj Meshram lodged a report with Police Station, Girad on 18/12/2022 alleging that on 17/12/2022 at about 9.30 p.m. his brother Kundlik Meshram was going to the agricultural field of one Yashwantrao Dethe as he was working in his field on

daily wages along with the applicant, as the field of the applicant was adjacent to the field of Yashwantrao Dethe.

3. It is further alleged that in order to protect the standing crops from the animals, the applicant had given the electric supply to the fencing. As there was a power cut in the village, the applicant asked said Kundlik to verify the sprinkles which were installed in the agricultural field of the applicant. Accordingly, Kundlik went to verify the same and applicant went to start the motor, however, at that time electric supply of the village resumed. Since Kundlik was not knowing about electric supply to the fencing of the applicant's agricultural field, he came in contact with the live electric supply of fencing and got a shock and fell on the ground. The applicant came on the spot and switched off the electric supply. Thereafter the applicant called police patil Aniket Jivtode who informed the police about the incident and accordingly the report was lodged against the applicant.

4. Thus, prima facie it appears that in order to protect the standing crops from animals, the applicant has given electric supply to the fencing of

his agricultural field, however, it resulted in the death of an innocent person.

5. The learned counsel for the applicant submits that he has no criminal antecedents. He is having owned residential house at Khapri(Bori) Tq.Samudrapur, District Wardha. Thus, he has strong roots in the locality.

6. Though the learned APP has opposed the application, in my view considering the nature of allegations, the applicant is entitled for the reliefs claimed. Hence, the following order.

### **ORDER**

(i) In the event of arrest in connection with Crime No.349/2022 registered with Police Station, Girad, District – Wardha for the offence punishable under Section 304 of Indian Penal Code, the Applicant – **Anandrao Pandurang Dambhare** be released on bail on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(ii) The applicant shall attend the Police Station, Girad, Tahsil Samudrapur, District – Wardha on every Wednesday between 3.00 to 5.00p.m. and also as and

when directed by the Investigating Officer, till filing of charge-sheet.

(iii) The applicant shall furnish his address and telephone/ mobile number(s) to the Investigating Officer. The applicant shall not change the same without permission of the Court.

(iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any Police Officer.

(v) The applicant shall not obstruct or hamper the police investigation and shall not play mischief with the evidence collected or yet to be collected by the Police.

(vi) The applicant shall maintain law and order.

(vii) In case of breach of any conditions, the learned trial court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.

The application is disposed of in above terms.

Digitally signed byRAVIKANT  
CHANDRAKANT KOLHE  
Signing Date:20.01.2023  
19:00

**JUDGE**