



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.680 OF 2023

(Namdeo Govindrao Puram Vs. The State of Maharashtra and anr.)

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

Court's or Judge's Order

Mr. V.D. Darne, Advocate for the applicant.
Ms M.A. Barabde, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- DECEMBER 12, 2023.

Heard.

2. By this application, the applicant is seeking anticipatory bail in connection with Crime No.481/2023 registered with Police Station Arni, District Yavatmal for offences punishable under Section 304 of the Indian Penal Code.

3. Learned Counsel for the applicant submitted that the allegation against the present applicant is that the FIR is lodged on an allegation that the present applicant is agriculturist, has installed fencing with the electric current and the deceased went along with his cattles to graze the cattles. At that time, he was electrocuted and died on the spot. On the basis of said report, police have registered the crime. He submitted that as far as the investigation is concerned, already the electric wire is seized by the police. Hence, custodial interrogation is not required and hence interim protection granted to the present applicant deserves to be confirmed.

4. Learned Additional Public Prosecutor opposed the application on the ground that the custodial interrogation is required.

5. Having heard both the sides. Perused the investigation papers. It reveals that the death of the deceased is caused due to the electric current as the deceased came into contact of fencing in the field. There was no intention of the present applicant to cause death of any person. In view of that the interim protection was granted to the present applicant. As far as the investigation part is concerned, custodial interrogation of the present applicant is not required.

6. In view of that the interim protection granted to the present applicant deserves to be confirmed. Hence, I proceed to pass the following order :

(i) The application is allowed.

(ii) In the event of arrest, the applicant – Namdeo Govindrao Puram in connection with Crime No.481/2023 registered with Police Station Arni, District Yavatmal for offences punishable under Section 304 of the Indian Penal Code, be released on anticipatory bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer for the investigation purpose and shall cooperate with the Investigating agency.

(iv) The applicant shall furnish his Cell phone number and address with address proof before the Investigating Officer.

(v) 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 shall not tamper with the evidence.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*