

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

CRIMINAL APPLICATION (BA) NO.1442 OF 2022

Bhaskar S/o Karnuji Meshram .Vs. State of Maharashtra, through P.S.O., Ram Nagar,
Dist. Chandrapur

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

Court's or Judge's Order

Shri H.D. Dubey, A.P.P. for the respondent/State.

CORAM : ANIL S. KILOR, J.

DATED : 20/06/2023

1. Heard.
2. This is an application for grant of bail under Section 439 of the Code of Criminal Procedure in Crime No.1044 of 2019 registered with Police Station: Ram Nagar, Dist. Chandrapur for the offences punishable under Sections 307 and 342 of the Indian Penal Code.
3. The present application is the successive application after the withdrawal of the earlier application. While withdrawing the earlier application, though the liberty was granted to file a fresh application after one year, this application came to be filed before completion of one year on the ground that the mother of the applicant is seriously ill and there was no one to look after or to provide food to her.

4. Accordingly, the learned APP was directed to verify the fact of illness of the mother of the applicant. Thereupon, a statement in affirmative was made by the learned APP on the verification about the illness of the mother of the applicant.

5. Hence, the applicant was initially released on bail by way of *ad-interim* bail for one month and report was called from Police Station about the health condition of the mother of the applicant as well as the conduct of the applicant during the period he was released on bail.

6. Accordingly, the concerned Police Station has submitted the report on 06.03.2023 in which nothing adverse against the applicant was stated and therefore, the period of temporary bail was extended by two months.

7. Now, another report dated 12.06.2023 is received from the concerned Police Station. In this report, there was nothing adverse against the applicant. The report dated 12.06.2023 further confirms that still the mother of the applicant is seriously ill and the applicant himself is not also well.

8. The Police have recorded the statement of neighbourers who have categorically stated that there is no nuisance because of the applicant, in the area.

9. In the circumstances, I am of the opinion that considering the fact that, the applicant had undergone one and half years of incarceration, therefore, the applicant shall be released on bail by confirming the interim bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed** and thereby the bail granted vide order dated 06.03.2023 is confirmed.

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

JUDGE