

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

CRIMINAL APPLICATION (BA) NO. 285/2020

Shankar S/o Bhanudas Mohokar

-VERSUS-

State of Maharashtra

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

Court's or Judge's Orders

Shri P. R. Agrawal, Advocate for applicant

Shri N. S. Rao, Additional Public Prosecutor for respondent.

CORAM : VINAY JOSHI, J.

DATE : APRIL 20, 2020.

Heard.

2. The applicant/accused is arrested by the Police of Daryapur Police Station in connection with Crime No. 52/2020 relating to the offence punishable under Section 306 read with Section 34 of the Indian Penal Code. It is alleged that the deceased was having love relationship with the daughter of accused/applicant. The applicant on 07.02.2020 assaulted the deceased and out of fear within three days, he has committed suicide.

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3. The matter was filed on 03.04.2020 on that day, notice was issued. On last date i.e. on 15.04.2020, this Court has specifically directed to State to file reply failing which the prayer for grant of interim bail would be considered on its own merit.

4. Today also, the State is not in a position to file reply in resistance. Learned Additional Public Prosecutor also opposed to grant interim bail. It is argued that two other accused are already released on bail. True that the allegations are mainly against the applicant, however, after three days, the deceased has committed suicide. The alleged offence is punishable upto 10 years imprisonment. The accused is seeking bail from 03.04.2020 and for last 15 days, reply is not filed. Already accused is in custody for more than two months and having regard to the said fact, following order:

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(I) The accused is released on interim bail on executing P. R. Bond of Rs. 25,000/- with one or two surety in the like amount.

(II) The applicant shall attend concerned Police Station on every Monday in between 10.00 a.m. to 12 noon till final disposal of this application.

(III) Put up this matter on 27.04.2020.

JUDGE

Gohane.