

IN THE COURT OF THE SESSIONS JUDGE, YAVATMAL
(Presided over by Shri K.R.Pethkar)

S.T.No. 49/2019
[CNR No MHYA010008002019]

State of Maharashtra -Vs- Kiran Khadse+4

Order Below Exh.73
[Passed on this 9th July, 2020]

1.. This is an application for bail moved by applicant/accused No. 4 Mithun @ Bhima Shivaji Khade in Crime No. 1219/2018, registered under section 302, 120-B r/w 34 of the I.P.C. of Police Station Yavatmal City. The learned P.P. by filing elaborate say at Exh. 73 strongly resisted the application.

2.. During the course of hearing of this application, the learned Advocate for accused submitted that marriage of younger brother of accused No.4 namely Divanand @ Pappu Shivaji Khade is fixed on 12-7-2020. The applicant/accused is the Karta of his family and as such his appearance in the said marriage is necessary. The learned Advocate for accused submitted that without going into merits of the application for bail, permission be granted to applicant/accused for attending the said marriage on 12-7-2020 by directing the jail authority and police escort to carry the applicant/accused to village Moha

for attending the said marriage function and thereafter to take him back to jail. The learned P.P. fairly conceded the said request of learned Advocate of applicant/accused and submitted that for short time period permission be granted to applicant/accused for attending marriage of his younger brother on depositing the charges of police escort. Looking to these peculiar facts and circumstances of the matter, in my view request of applicant/accused can be considered on imposing certain conditions. Hence, I pass the following order.

Order

The application for bail at Exh.70 is partly allowed.

The Superintendent of Jail, Yavatmal is directed to hand-over the custody of applicant/accused Mithun @ Bhima Shivaji Khade to police escort on 12-7-2020 at 7.00 a.m. for attending the marriage of his younger brother at village Moha Yavatmal. The police escort is directed to carry the applicant/accused Mithun @ Bhima Shivaji Khade from District Prison Yavatmal on 12-7-2020 at 7.00 a.m. to village Moha and to hand-over the custody of said applicant/accused to the

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Superintendent, District Prison Yavatmal on the same day at 1.00 p.m. and to report the compliance accordingly.

The applicant/accused is directed to deposit the police escort charges in the office of Superintendent of Police, Yavatmal.

Dt/ 9-7-2020

[K.R.Pethkar]
Sessions Judge,
Yavatmal.

