

¢

SLP(Crl.)No. 3425 OF 2000

ITEM No.31

Court No. 4

SECTION IIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 3425/2000

(From the judgement and order dated 23/08/2000 in CRLA. 2657/00
of The HIGH COURT OF BOMBAY)

BHAUSABHEV NAGU DHAVARE

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent (s)

(With Appln(s). for bail exemption from filing c/c of the impugned
Judgment) (With Office Report)

Date : 16/03/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS

HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s) Mr. Markand D. Adkar, Adv.
Mr. SD Singh, Adv.
Mr. Vishwajit Singh, Adv.

For Respondent (s) Mr. S.V. Deshpande, Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

Leave granted.
The Criminal Appeal is disposed of.

.SP1

Hemalatha

(HK Bhatia)
Court Master

(signed order is placed on file)

.PL60

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 301 OF 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(Crl.)No.3425/2000)

BHAUSAHEB NAGU DHAVARE ..APPELLANT

VS.

STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

O R D E R@@
CCCCCCCC

.SP2

Leave granted.

The appellant is involved in an offence under Section 307 of the IPC. He was arrested on 18.6.2000. The High Court rejected his application for bail as per the impugned order.

When we perused the details of the injury sustained by the victim we too felt, initially, that High Court was justified in rejecting bail for the appellant. Nonetheless we take into account the fact that the victim survived and as on today there is no prospect of the offence being escalated to higher counts. We also take into account the fact that the appellant has been in jail for nearly eight months by now. Learned counsel for the State of Maharashtra submitted that in case this Court is inclined to release the appellant on bail he must be subjected to some stringent conditions, one of them being that the appellant shall not enter within the limits of Village Kiwale. we, therefore, order the appellant to be released on bail on his executing a bond with two solvent sureties for such amount as may be fixed by the trial
....2/-

.PA

: 2 :

court. He shall not enter within the boundaries of the Village Kiwale without permission from the trial court until disposal of the case. This appeal is disposed of.

.SP1

.....J.
(K.T. Thomas)

New Delhi
March 16, 2001

.....J.
(R.P. Sethi)