

ITEM NO.26 Court 8 (Video Conferencing) SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 4636/2020

(Arising out of impugned final judgment and order dated 15-05-2020 in CRLA(BA) No. 958/2019 passed by the High Court Of Judicature At Bombay At Nagpur)

RAJKUMAR BODHIRAM SHENDRE Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA Respondent(s)

(IA No. 97468/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 97469/2020 - EXEMPTION FROM FILING O.T.)

Date : 28-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Wasi Haider, AOR

For Respondent(s) Mr. Rahul Chitnis, Adv.
 Mr. Sachin Patil, AOR

UPON hearing the counsel the Court made the following
O R D E R

The above Special Leave Petition is filed against an order passed by the High Court refusing to grant bail to the Petitioner. Pursuant to the order passed by the Division Bench of the High Court in a Criminal Appeal No. 234/2004, charge sheet has been filed against the Petitioner. The petitioner was arrested on 25.4.2019 for an offence which was committed in the year 2004.

Learned counsel for the petitioner submitted that there are several reports according to which Sheela and Manoj @ Balya were found to be responsible for the crime. However, the petitioner was made an accused in the charge sheet later.

Mr. Rahul Chitnis, learned counsel for the State of Maharashtra opposed the grant of bail to the Petitioner as he is involved in an offence registered under Section 302, 201, 294 r/w 34 IPC. There is a likelihood of the Petitioner tampering with the evidence according to Mr. Chitnis.

The incident took place in the year 2004 and the investigation is complete and charge sheet has been filed. The petitioner has been in custody since 25.4.2019 and no purpose would be served by keeping the petitioner in custody further. The petitioner is directed to be released on bail subject to the satisfaction of the concerned trial Court. Needless to say that the Petitioner shall not make any attempt to influence the witnesses or tamper with the evidence.

The special leave petition is disposed of accordingly. Pending application(s), if any, shall stand disposed of.

(Geeta Ahuja)
Court Master

(Anand Prakash)
Court Master