

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 6013 OF 2013

MADAN SITARAM PAWAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Gore Ravindra Vitthal.
APP for Respondent / State : Mrs.V.A.Shinde.

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CORAM : **T.V. NALWADE, J.**
DATE : 24th December, 2013.

ORDER:

. This application is filed for bail. Both the sides are heard. This Court has gone through the papers of investigation. By way of precaution, this Court had given direction to the learned APP to ascertain as to whether the Applicant has criminal antecedents. It is also asked to ascertain as to whether there is possibility of absconding of the accused and whether he is permanent place of residence and he owns any property. It is confirmed that the Applicant has no criminal antecedents. His father owns house property in village Wardhada, Taluka Mehkar, District Buldhana.

2 The crime is registered on the basis of report given by one Vishnu Bangar. The incident took place on 3rd July, 2013. On that night, he and his family members were sleeping in the house and then robbers entered their house by breaching open the channel gate lock and door. By showing a knife, they robbed the family of cash amount and other valuables. The family of

Vishnu somehow contacted the Police and then the Police took action and the present Applicant was intercepted and he was caught when he was leaving that area. Though no stolen article was found with the Applicant, his mobile handset having sim care, which is in his name was recovered from the spot of offence. This kind of offence is against the Applicant.

3 The learned counsel for the Applicant submits that the Applicant is a permanent resident of the aforesaid place and it is the first offence against him and so, he may be released on bail so that he may improve. This Court has gone through the injury certificate. It shows that the Complainant has sustained three simple injuries. Only because no serious injuries were caused in the incident and there is evidence of aforesaid nature and in the aforesaid circumstances, this Court holds that it is not desirable to keep the Applicant behind bars till the disposal of the case. He has been behind bars since 4th July, 2013.

4 In the result, the application is allowed. The Applicant is to be released on bail on his furnishing P.R. and S.B. of Rs.30,000/- with one solvent surety of the like amount. He is not to tamper with prosecution witnesses. He is not to commit similar offence.

[T.V. NALAWADE, J.]

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