

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 63 OF 2015
WITH APPLN/361/2015 IN APPLN/63/2015

RAJENDRA BHAU GUND
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Phale Parimal K.
APP for Respondent: Mr. N. B. Patil.
Advocate to assist APP: Mr. N. C. Garud.

CORAM: T. V. NALAWADE, J.
DATED: 9th FEBRUARY, 2015.

PER COURT:

1. The Criminal Application No.63 of 2015 is filed for bail. Both the sides are heard. This Court has perused the papers of investigation,.
2. Learned counsel Mr. Garud, for the Applicant in Criminal Application No.361 of 2015, is allowed to assist learned A.P.P.
3. Learned counsel for the Applicant produced copy of order made by other Honourable Judge of this Court granting bail to one Bhau Rambhau Gund. The

application is allowed on merits in view of the material available as against Bhau.

4. The papers of investigation show that during the incident Bhau Gund, Balasaheb Gund, Rajendra Gund, Vijay Gund, Kisan Gund Dadabhau Gund assaulted the deceased by using stick and stone. Thus, similar allegations are made against these persons by the witnesses.

5. The P.M. report shows that the injuries, which were sustained on the head, caused the death. It was incised wound. Allegations are made against Kisan Gund that he gave axe blow on the head and there is allegation against Vijay Gund that he gave blow of iron rod on the head of the deceased.

6. In view of the nature of material available and the order made by other Honourable Judge of this Court, this Court holds that it is not desirable to keep the applicant behind bars till disposal of the case. Learned A.P.P. submitted that provisions of section 149 of Cr.P.C. are available against the applicant and there is a ground of parity. This Court holds that bail needs to be granted to the applicant.

7. 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.20,000/-. He is not to enter the territorial limits of Waranwadi Shivar, Taluka Parner, District Ahmednagar for a period of three years or till the trial is concluded, whichever occurs earlier, except with the prior permission of the trial Court.

[T. V. NALAWADE, J.]

Dt.09/02/2015
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