

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 283 OF 2015

Gautam s/o. Bhaskar Takankhar **Applicant.**

Versus

The State of Maharashtra **Respondents.**

Mr. S.J. Salunke, Advocate for applicant.

Mr. M.M. Nerlikar, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 20th February, 2015.

ORDER :

1. The application is filed for bail. Both the sides are heard. This Court has perused the papers of investigation which include the injury certificate of Baban Kamble.

2. The incident in question took place on 22.5.2014. There is dispute between Baban on one side and the present applicant on the other. It is contended that Baban was asking the present applicant to vacate the shop premises and Baban was contending that the space belongs to him. Allegations are made that on the day of incident at about 11.00 a.m. present applicant and his two associates like Pappu and Anguli assaulted Baban by using iron rod. Allegations are made that present applicant gave

blow of iron angle on the head of Baban. Baban sustained fracture of right frontal bone and he sustained four other injuries like C.L.Ws. The learned APP submitted that serious injuries were caused and there was danger to the life of Baban Kamble and Baban was in hospital for one and half months and his statement could be recorded only after he is discharged from hospital and i.e. On 27.8.2014.

3. The submissions made show that present applicant has been behind bars since 3rd of January of 2015. In view of these circumstances and as it is not certain as to how much time will be required for disposal of the case, this Court holds that it is not desirable to keep the applicant behind bars till the disposal of the case.

4. In the result, the application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs. 30,000/- (Rupees thirty thousand) with one solvent surety of like amount. He is not to tamper with the prosecution witnesses. He is not to commit similar offence.

[T.V. NALAWADE, J.]

ssc/