

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

CRIMINAL APPLICATION NO. 401 OF 2015

Vicky @ Vikas Bhanudas Gore **....Applicant.**

Versus

The State of Maharashtra **....Respondents.**

Mr. Shaikh Mazhar A. Jahagirdar, Advocate for applicant.

Mrs. M.A. Deshpande, APP for State.

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

ORDER :

1. The application is filed for bail. Both the sides are heard. This Court has perused the papers of investigation.

2. The crime is registered on the basis of report given by one Sagar Shivaji Shinde. He is working in showroom of Amarpreetsingh and Amarpreetsingh owns one hotel also. The incident in question took place on 8.9.2014. It was dry day as it was Ganesh immersion day. Allegations are made that present applicant and others went to the hotel and they wanted to have a liquor. When it was told to them that hotel was closed and it was dry day, they became angry. Allegations are made that then they came with weapon and assault was made on Amarpreetsingh and complainant Sagar.

3. On the basis of medical record, it can be said that Amarpreetsingh was seriously injured and there is possibility that due to injury, he may lose one eye and he sustained two grievous injuries also. Sagar sustained two simple injuries and they were multiple abrasions on left shoulders and swelling. Name of the present applicant is mentioned by the injured witness Amarpreetsingh as a person who was present with the main accused.

4. It appears that present applicant is behind bars since 8.10.2014. No bad antecedents are reported against the applicant. In view of nature of allegations and material available against the applicant, this Court holds that it is not desirable to keep the applicant behind bars till the disposal of the case. The case is filed against present applicant for the offences punishable under sections 307, 326, 149 etc. of I.p.C. and section 4 r/w. 25 of Arms Act and few sections of Bombay Police Act.

5. In the result, the application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs. 15000/- (Rupees fifteen thousand). He is not to tamper the

prosecution witnesses. He is not to commit similar offence. He is not enter the vicinity of the residential place and business place of the complainant and witness Amarpreetsingh till the disposal of the case.

[T.V. NALAWADE, J.]

ssc/