

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

CRIMINAL APPLICATION NO. 483 OF 2015

Pappu s/o. Vajinath Lande **....Applicant.**

Versus

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

Mr. N.S. Tekale, Advocate for applicant.

Mr. R.P. Phatke, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 13th 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 widow of deceased. The incident in question took place on 17.9.2014 near hand pump of village. The complainant was present near hand pump for taking water and her husband was present in the vicinity. According to her, applicant was there and he gave abuses to the husband of the complainant. When the husband of the complainant, deceased, questioned the applicant as to why he was giving abuses, applicant pelted a stone towards the deceased and the stone hit on the right eye. The deceased collapsed on the ground due to this hit of stone. He was shifted to hospital as he became unconscious. Initially

treatment was given in private hospital. Initially on the basis of report given by widow of deceased, crime was registered for the offence punishable under section 326 of I.P.C. against the applicant. In that crime, the applicant was released on bail. The husband of the complainant died after one and half months and then section 302 of I.P.C. came to be added. Chargesheet is not yet filed for the aforesaid offence.

3. It appears that applicant was drunk at that time and incident took place on petty quarrel. The P.M. report shows that there was underscalp haematoma present over both sides. Injuries in column No. 17 are all therapeutic injuries. The death took place due to septicemia due to head injury.

4. In view of these circumstances, 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. He is not to enter the village of the complainant viz. Tintraj, Tahsil Bhoom till the disposal of the case which may be filed against him.

[T.V. NALAWADE, J.]

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