

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

CRIMINAL APPLICATION NO. 1102 OF 2015  
WITH  
CRIMINAL APPLICATION NO. 822 OF 2015

Ganesh s/o. Uttamrao Lokhande ....**Applicant.**

**Versus**

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

Mr. S.J. Salunke, Advocate for applicant in CA No. 1102/15.

Mr. S.S. Rathi, Advocate for applicant in CA No. 822/15.

Mrs. B.B. Gunjal, APP for State.

**CORAM : T.V. NALAWADE, J.**

**DATED : 2nd March, 2015.**

**ORDER :**

1. Both the applications are filed for bail. Both the sides are heard. This Court has perused the papers of investigation which include injury certificate in respect of complainant Vijay.

2. The incident in question took place on 8.1.2015 in Basmat after 6.00 p.m. The complainant and his friends like Avadhut, Shivaji, Jitendra, Govind and Shrikant were sitting at a place where both the applicants with their associates, who include Somnath alias Balu Parsawale came. Allegations are made that out of previous quarrel which had taken place between the boys of two lanes, the accused picked up quarrel.

Allegations are made that during quarrel applicant Balaji Tidke gave slaps to the complainant and due to that complainant fell on the ground. Allegations are made that applicant Ganesh Lokhande gave blow of iron rod on the left leg of the complainant and at the same time, Somnath alias Balu Paraswal rushed at the complainant with sword and by aiming the sword at his head, he said that he would finish the complainant. To save himself, the complainant raised his hand and blow of sword hit on the right hand of the complainant. Due to that blow, the complainant lost four fingers of right hand and he also sustained injury on left hand. Report came to be recorded on 9.1.2015. The injuries appearing on the person of complainant are mostly caused by the sword.

3. In view of the role attributed to the present applicants in the incident, the nature of injuries caused by them, the motive behind the crime and the other material available against them, this Court holds that it is not desirable to keep the applicants behind bars till the disposal of the case. The case is not yet filed. They are behind bars from 10.1.2015.

4. In the result, the applications are allowed. The applicants are to be released on bail on their furnishing PR and

SB of Rs. 15,000/- (Rupees fifteen thousand) by each of them. They are not to tamper with the prosecution witnesses. They are not to commit similar offence. They are not to enter the lane where the complainant is living and they are not to go to the vicinity of the residential places of the witnesses till the disposal of the case.

**[ T.V. NALAWADE, J. ]**

ssc/