

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

Criminal Application No. 1360 Of 2015.

**BALASAHEB RAMBHAU GUND
VERSUS
THE STATE OF MAHARASHTRA.**

Appearance =>

Mr. Parimal Phale, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 30th March, 2015.

Per Court :-

Present Criminal Application is filed by the applicant for grant of regular bail, in connection with CR No. I 183/2014 registered with Parner Police Station, District – Ahmednagar for the offences punishable under Section.s. 302, 143, 147, 148, 149, 506 of the Indian Penal Code.

[2] Heard Mr. Parimal Phale, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State of Maharashtra.

[3] Deceased is Tukarm Ramaji Kashid. The Investigating Officer after completing the investigation, filed the Charge-sheet before the court of law. From the allegations made in the First

Information Report and other material available on record, it appears that, fatal blow is given by co-accused Kisan @ Krushna Gund. Post Mortem report clearly shows opinion of Doctor, who conducted the post mortem that, death occurred due to head injury due to sharp weapon, which clearly attributed to Kisan @ Krushna Gund and not to the present applicant, who according to the prosecution has used the stick in the commission of offence.

[4] Column No.17 of Post Mortem report shows four injuries however, except injury No.1 other injuries are due to operation. There is no injury found in the post mortem, which can be caused by stick, which is allegedly used by the present applicant. In that view of the matter, present applicant has made out a case for himself for releasing him on bail. Hence, I pass the following order :-

ORDER

(i) Criminal application is allowed.

(ii) Applicant - BALASAHEB RAMBHAU GUND shall be released on bail on he executing P.R. Bond of Rs. 10,000/- (Rs. Ten Thousand.) with two solvent sureties in the like amount, in connection with CR No. I 183/2014 registered with Parner Police Station, District – Ahmednagar for the offences punishable under Section.s. 302, 143, 147, 148, 149, 506 of the Indian Penal Code.

(iii) The applicant shall attend the Parner Police Station, Dist. Ahmednagar once in a fortnight preferably on every

Sunday between 10.00 a.m. to 11.00 a.m. till Charge is framed by the learned court below.

(iv) With this Criminal Application is disposed of.

(V.M. DESHPANDE, J.)