

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

CRIMINAL APPLICATION NO. 2356 OF 2015.

VITTHAL SUDHAMRAO MATHANE.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. K.D. Jadhav, Advocate a/with Mrs. Shubhangi D. More, Advocate
for the Applicant.

Mr. V.H. Dighe, Additional Public Prosecutor for the State of
Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 15th June, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant
of regular bail in connection with CR No. 36/2015 registered with Police
Station, Majalgaon (City), District - Beed for the offences punishable under
Section/s 307, 120(B) read with 34 of the Indian Penal Code.

[2] Heard Mr. K.D. Jadhav, learned counsel for the Applicant and
Mr. V.H. Dighe, learned Additional Public Prosecutor for the State.

[3] First Information Report is lodged by Janabai Naiknaware.
From the F.I.R. which is dated 3rd April, 2015, it appears that, Janabai was
proceedings towards her house; that time one unknown person has given a
lift to her and he dropped her (first informant) to her house. Thereafter, she
gave water to the said unknown person. That time, said unknown person

gave blow of katti (कत्ती), due to which first informant suffered injury on her face.

[4] First Information Report is lodged against unknown person. It is reported that, said unknown person, who has used katti in the commission of offence, is identified by first informant – Janabai as “Gokul Ramrao Kadam”. Thus, it is clear that, present Applicant has not given any blow to the first informant.

[5] Mr. V.H. Dighe, learned Additional Public Prosecutor submitted that, supplementary statement of the first informant is recorded on 12th April, 2015 in which she has stated that present Applicant is in her distant relation and he used to reside with her. However, due to some dispute, he was asked to leave the house, therefore, he was keeping grudge against him.

Mr. V.H. Dighe, learned Additional Public Prosecutor further states that, supplementary statement would reveals that it was belief of the first informant that present Applicant must have asked the said Gokul to make the assault upon her. This is only material against the present Applicant in the entire prosecution case. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - VITTHAL SUDHAMRAO MATHANE shall be released on regular bail on he executing P.R. Bond of Rs. 10,000/- [Rs. Ten Thousand.] with one solvent surety in the like amount, in connection with CR No. 36/2015 registered with Police Station, Majalgaon (City), District - Beed for the offences punishable under Section/s 307, 120(B) read with 34

of the Indian Penal Code.

(iii) Bail before trial court.

(iv) The Applicant shall attend Police Station, Majalgaon (City), District - Beed once in a week, preferably on every Sunday and shall remain present in said Police Station between 3.00 to 5.00 p.m., till charge sheet is filed.

(v) With this Criminal Application is allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)