

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 2513 OF 2015

Macchindra s/o Ajinath Gaikwad
Age 27 years Occu: Agri.
R/o Panvi Taluka Vaijapur
District: Aurangabad.

... **Applicant**

Versus

The State of Maharashtra

... **Respondent**

Mr. Balaji S. Chondhekar, Advocate for the applicant
Mr. A. S. Shinde, APP for the Respondent-State.

CORAM : V. M. DESHPANDE, J.

DATE : 11th June, 2015

PER COURT :

1. By the present application, the applicant who is in jail is seeking his release on bail in connection with Crime No.I-30/2015, registered at Police Station Veergaon, Taluka Vaijapur Dist. Aurangabad for the offences punishable under Sections 307, 504 of the Indian Penal Code, 1860 and Sections 3/25 of the Arms Act.
2. I have heard Mr. Balaji S. Chondhekar, learned counsel for the applicant and Mr. A. S. Shinde, learned Additional Public Prosecutor for the State.
3. The first information report is lodged by one Meenabai w/o

Babasaheb Gaikwad who has suffered injury on his palm due to assault made by the present applicant by means of sword. The present applicant and injured Babasheb are in close relations. Though the charge-sheet is not filed in the present case, from the investigation papers, it appears that entire investigation is completed and only formality of filing of charge-sheet is to be done. Weapaon is already seized from the present applicant under his memorandum statement under section 27 of the Evidence Act.

4. Though the offence is punishable under section 307 IPC, looking to the injury and since the weapon is already seized and since the applicant is in jail since 23rd April, 2015, it would be expedient in the interest of justice to pass order of his release on bail, however on certain stringent conditions, that leads me to pass following order:

ORDER

- i. Criminal Application is allowed.
- ii. The Applicant Macchindra s/o Ajinath Gaikwad shall be released on bail in connection with Crime No.I-30/2015, registered at Police Station Veergaon, Taluka Vaijapur

Dist. Aurangabad for the offences punishable under Sections 307, 504 of the Indian Penal Code, 1860 and Sections 3/25 of the Arms Act on he executing P.R. Bond of Rs. 25,000/- (Rs. Twenty five Thousand only) with two solvent sureties in the like amount. Bail before trial Court.

- iii. The applicant shall attend the Police Station Veergaon, Taluka Vaijapur Dist. Aurangabad twice a week preferably on every Sunday and Tuesday, between 3.00 p.m to 5.00 p.m. till charge-sheet is filed. After filing of the charge-sheet, the applicant shall attend the police once in a week on every Sunday during the aforesaid time till charge is framed.
- iv. The applicant shall not cause any threat to the injured or the first informant and shall not tamper, in any manner whatsoever, with the prosecution evidence.
- v. Application is disposed of.

(V. M. DESHPANDE, J.)

JPC