

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

**CRIMINAL APPLICATION NO. 3003 OF 2015.**

SUMIT S/O DILIPRAO KAMBLE.

VERSUS

THE STATE OF MAHARASHTRA.

**Appearance      =>**

Mrs. A.N. Ansari, Advocate for the Applicant.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

**CORAM      :      V.M. Deshpande, J.**

**DATE          :      1<sup>st</sup> July, 2015.**

**Per Court :-**

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No. 74/2015 registered with Police Station, Bhagyanagar, Nanded, District – Nanded for the offences punishable under Section/s 307, 323, 504, 506 of the Indian Penal Code.

**[2]**          Heard Mrs. A.N. Ansari, learned counsel for the Applicant and Mr. A.S. Shinde, learned Additional Public Prosecutor for the State of Maharashtra.

[3] First Information Report is lodged by Sunil Gangadhar Gadewar, who himself is injured. First Information Report discloses that he works as Servant at “Datta Raswant Gruha” at Chaitanyanagar. On 10<sup>th</sup> May, 2015 in night time, when he was present at said Raswant Gruha, regular customers Sanju Guramalwar, Raju Sathe, Prashant Kamble and Sumit Kamble came there to drink sugarcane juice. When sugarcane juice was served to them, Raju Sathe found that sugarcane juice is contaminated, therefore, he used abusive language to the first informant. Upon that, when first informant asked them not to use abusive language, that time, accused persons, according to the First Information Report, gave fist and kick blows to the first informant. First Information Report further shows that, that time, Sanju Guramalwar assaulted him on his head and also on his back by means of weapon. Injury certificate is available on record.

[4] The learned Additional Public Prosecutor invited attention of this court to the medico legal certificate of Sunil which shows contusion lacerated wound 2x0.5x0.5 cm. on the right parietal region. Except this, there is no injury that can be attributable to present Applicant.

[5] Present Applicant is in jail since 11<sup>th</sup> May, 2015. Nothing is seized from the present Applicant, therefore, merely charge sheet is not filed, for that reason, personal liberty of the Applicant cannot be curtailed that leads me to pass the following order :-

**ORDER**

- (i) Criminal Application is allowed.
- (ii) Applicant - SUMIT S/O DILIPRAO KAMBLE shall be released on regular bail on he executing P.R. Bond of Rs.5,000/- [Rs. Five Thousand.] with one solvent surety in the like amount, in connection with CR No. 74/2015 registered with Police Station, Bhagyanagar, District–Nanded for the offences punishable under Section/s 307, 323, 504, 506 of the Indian Penal Code.
- (iii) Bail before trial court.
- (iv) With this Criminal Application is allowed and same is disposed of, accordingly.

**(V.M. DESHPANDE, J.)**