

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.390 OF 2016

Vishnu s/o Laxman Jadhav,
Age 48 years, Occu. Ex-serviceman,
R/o Dahegaon, Taluka Vaijapur,
District Aurangabad

..Applicant

Versus

The State of Maharashtra,
Through the Police Inspector,
Police Station, Vaijapur,
Taluka Vaijapur,
District Aurangabad

..Respondent

Mr V.D. Hon, Senior Counsel, i/b Mr A.V. Hon, Advocate for applicant
Mr K.D. Mundhe, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 4th February 2016

PER COURT

Heard.

2. The applicant is seeking regular bail in Crime No.I-213/2015 registered on 19th December 2015 at Vaijapur Police Station, District Aurangabad, for the offences punishable under Sections 302, 143, 147, 148 and 149 of Indian Penal Code.

3. The F.I.R. depicts the name of present applicant as the one who was present at the scene of offence.

4. Learned Senior Counsel, while trying to make out a case for grant of regular bail would claim parity to that of other accused namely Balkrushna Kachru Ugle and Dattu Gajanan Pagar, who are directed to be released vide order passed by this Court on 28th January 2016 in Criminal Application No.156 of 2015 and Criminal Application No.339 of 2016, respectively.

5. According to learned Senior Counsel, but for his presence, there is no role attributed to the present applicant and there is vague attribution of his involvement in the crime in question.
6. Learned A.P.P., opposed the application on the ground that the applicant is named as accused in F.I.R.
7. With the assistance, perused the investigation papers. The deceased attempted to kill one minor child Mahesh, for saving his life the present applicant is claiming to have present on the spot.
8. Deceased Kailashnand has tried to attack the present applicant in which he has lost his life. The prosecution claims that the said deceased Kailashnand was attacked by about 15-20 persons.
9. In my opinion, looking to the nature of crime, applicant's further detention is not necessary. As such, applicant deserves to be released on bail.
10. The applicant be released on bail in Crime No.I-213/2015 registered on 19th December 2015 at Vaijapur Police Station, District Aurangabad, for the offences punishable under Sections 302, 143, 147, 148 and 149 of Indian Penal Code, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.
11. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)