

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1212 OF 2016

Shivling Shivsamb Swami ..Applicant

Versus

The State of Maharashtra ..Respondent

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Mr.V.D.Gunale, advocate for applicant

Mr.A.R.Borulkar, APP for respondent - State

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CORAM : M.T. JOSHI, J.

DATE : MARCH 17 , 2016

PER COURT :

Heard.

2] The applicant, who is arrested in connection with Crime No.11 of 2016 registered with Shirur Anantpal Police Station, Tq. Shirur, Dist. Latur for the offences punishable under Section 307, 504, 506 of Indian Penal Code, is praying for his release on bail.

3] The applicant was arrested on 30th January, 2016.

4] The case papers as well as the arguments from both the sides would show that while the complainant/victim had suffered injury on 14th January, 2016, the F.I.R. came to be filed on 26th January, 2016 and that too, when the Police Officer had visited the house of the complainant.

5] In the complaint, the complainant alleged that present applicant had thrust a broken beer bottle in his stomach and caused grievous injury.

6] As in the F.I.R., it was stated that the complainant, after suffering the injury, was taken to the Primary Health Centre, Shirur Anantpal, this Court vide order dated 10th March, 2016, had asked the learned A.P.P. to take instructions from the Investigating Officer and to collect the

necessary papers from the Primary Health Centre, Shirur Anantpal so as to find out, whether any history of the injury was given by the complainant to the Medical Officer.

7] Accordingly, the learned A.P.P. has tendered a copy of the report of the Medical Officer, Primary Health Centre, Shirur Anantpal dated 14th March, 2016. The same is accepted on record and marked as "X" for the purpose of identification.

. The report would show that since the complainant had stated to the Medical Officer that he stumbled over the bottle and suffered injury, there was no criminal angle involved and therefore, the MLC case was not registered.

8] Considering all the facts on record and finding that present applicant is behind the bars for more than six weeks, in my view, he can very well be released on bail.

9] Hence, the following order :-

A] Criminal Application is hereby allowed.

B] The applicant be released on bail in connection with Crime No.11 of 2016 registered with Shirur Anantpal Police Station, Tq. Shirur, Dist. Latur for the offences punishable under Section 307, 504, 506 of Indian Penal Code, upon his executing P.R. bond in the sum of Rs.20,000/- (Rs.Twenty Thousand) and also upon furnishing surety in the like amount.

C] The applicant shall not influence any of the the prosecution witnesses in any manner.

[M.T. JOSHI, J.]

kbp