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

CRIMINAL APPLICATION NO. 1671 OF 2016

Shri Rahul Gulabrao Patil,
Age: 23 years, Occu: Agril.,
Add. Mandane, Taluka Shahada,
Dist. Nandurbar

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr M. V. Bhamre, Advocate for applicant;
Mr R. V. Dasalkar, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 25th April, 2016

ORAL ORDER :

Heard learned Council appearing on behalf of applicant and learned Additional Public Prosecutor.

2 The applicant is seeking his release on regular bail in Crime No. 201 of 2015 registered with Shahada Police Station, Dist. Nandurbar, for the offences punishable under Sections 307, 323, 504, 506 read with Section 34 of the Indian Penal Code, pursuant to the incident dated 26th November, 2015.

3. The complainant in the abovesaid case namely, Narendra Makkan Patil is an accused in Crime No. 200 of 2015, registered with Shahada Police Station, Dist. Nandurbar, for the offences punishable under Sections 324, 323, 504, 506 read with Section 34 of the Indian Penal Code.

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4. Perusal of the investigation papers depicts that the applicant snatched sickle, which was used by the victim in crime in question i.e. Crime No. 201 of 2015 namely, Dattatraya and assaulted him and caused grievous injury. The other first information report in Crime No. 200 of 2015 depicts that Dattatraya has assaulted to the present applicant resulted into registration of crime by and against both the parties.

5. While trying to make out a case for grant of regular bail, learned Counsel appearing on behalf of the applicant would submit that apart from above, there is delay of 4 days in lodging first information report in Crime No. 201 of 2015. He would then submit that the other accused in the present crime in question are released on bail. He would then submit that the investigation in the matter is almost completed and further detention of the applicant is not necessary in the crime in question.

6. The learned Additional Public Prosecutor opposed the application on the ground that there is a grievous injury caused by the present applicant to Dattatraya and there is strong evidence available against the him in crime in question i.e. in Crime No. 201 of 2015.

7. With the assistance of respective Counsel, I have perused the entire investigation papers in both the crime in question i.e. Crime Nos. 201 of 2015 and 200 of 2015.

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8. Prima facie, it appears that there are counter first information reports. The delay of 4 days in lodging first information report as against present applicant is one of the aspect, in my opinion, needs to be considered. Apart from above, fact remains that, investigation in the matter is almost completed, as is apparent from the investigation papers.

9. It is also required to be noted that, there are no criminal antecedents against the present applicant.

10. In the above background, in my opinion, it will be appropriate to order the release of present applicant on regular bail. Hence I pass following order :

The applicant be released on bail in connection with Crime No. 201 of 2015 registered with Shahada Police Station, Dist. Nandurbar, for the offences punishable under Sections 307, 323, 504, 506 read with Section 34 of the Indian Penal Code, upon furnishing P. R. Bond of Rs. 15,000/- with one surety in the like amount. The applicant shall not enter the jurisdiction of the concerned police station, till filing of the chargesheet.

11. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

sjk