

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

CRIMINAL APPLICATION NO. 1938 OF 2016

Kakasaheb Baban Garje

...Applicant

VERSUS

The State of Maharashtra

...Respondent

.....
Shri Joydeep Chatterjee, advocate for applicant
Shri A.R.Borulkar, A.P.P. for respondent/State
.....

CORAM : INDIRA K.JAIN, J.

DATED : 29th April, 2016

ORDER :

This is an application for regular bail in Crime No. 28 of 2016, registered at Ashti police station, District Beed, for the offences punishable under Sections 307, 395, 323, 427, 327, 143, 147, 148, 149, 504 of the Indian Penal Code and Section 3/25 of the Indian Arms Act.

2] Heard Shri Joydeep Chatterjee, learned counsel for applicant and Shri A.R.Borulkar, learned A.P.P. for State. Perused papers of investigation.

3] It appears from first information report that on 6.2.2016 at around 8.00 p.m. first informant Ganesh Dongare owner of hotel Gauri situated at Jamkhed road along with his brother was present in the hotel. Applicant with others had been to hotel. They raised a

dispute on payment of bill and assaulted him with revolver. It is alleged that applicant picked up Rs.5,000/- from cash counter and threw away coins on the road. Applicant and others also broke the tables and chairs of hotel.

4] From the report of investigating officer it can be seen that during investigation it was revealed that offences under Sections 307 and 395 of the Indian Penal Code have not been established and offence under Section 327 with other Sections of Indian Penal Code was made out.

5] In this view of the matter, this Court is inclined to enlarge the applicant on bail. Hence the following order.

ORDER

(i) Criminal Application No. 1938 of 2016 is allowed.

(ii) Applicant is released on bail on P.B. and S.B. of Rs.15,000/- each.

(iii) Applicant shall not enter the limits of Jamkhed town and Ashti until further orders.

(iv) Applicant shall not tamper with prosecution evidence and shall make himself available as and when required.

(v) Bail before the Trial Court.

[INDIRA K.JAIN, J.]

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