

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

907 CRIMINAL APPLICATION NO. 4211 OF 2016

SATISH NAMDEO NAROTE

VERSUS

**THE STATE OF MAHARASHTRA
AND ANR.**

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Mr. R.K.Temkar, Advocate for Applicant.

Mr. S.M.Ganachari, A.P.P. for Resp. – State.

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CORAM : A.M.BADAR, J.

DATE : 20th AUGUST, 2016

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PER COURT :

1. Heard.
2. Learned A.P.P. opposed the application by contending that the crime in question is serious.
3. Perused F.I.R. lodged by Sow. Usha Ganesh Shiledar. So far as the applicant is concerned, averments are to the effect that he had abused Ganesh Shiledar and assaulted him by means of handle of an axe. Statement of injured Ganesh shows that the present applicant had assaulted him on

hand and back. Injured Ganesh had not attributed any weapon to the present applicant. Though the crime in question allegedly occurred on 14/07/2016, papers of investigation does not contain injury certificate of victim Ganesh.

4. It appears that member of prosecuting party namely Namdeo Narote has lodged cross F.I.R. against informant Usha Shiledar and Ganesh Shiledar.

5. So far as the applicant is concerned, there are no allegations about outraging modesty of Usha. In this view of the matter, liberty of the present applicant needs to be protected. Hence, the following order.

(i) The application is allowed.

(ii) In the event of his arrest in Crime No. 189/2016 registered at Newasa police station, Tq. Newasa, Dist. Ahmednagar for the offences punishable U/ss 354,323,504,506 read with 34 of the Indian Penal Code, applicant Satish Namdeo Narote be released on bail on executing P.R. Bond of ₹ 5,000/- [Rupees Five Thousand] and on furnishing surety in the like amount.

(iii) As a condition of this Order, the applicant shall not extend any threat, inducement or promise to the persons acquainted with the facts of the accusation so as to dissuade them from disclosing the same either to the police or the Court.

(iv) The applicant shall not tamper the evidence of the prosecution.

[A.M.BADAR, J.]

KNP/Cr.Apln. 4211.2016