

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

Criminal Application No. 4298 of 2016

District : Beed

Kuldeep s/o. Jaising Tak,
Age : 22 years,
Occupation : Education &
Agriculture,
R/o. Balbhim Nagar,
Water Ves, Beed.

.. Applicant.

versus

The State of Maharashtra,
Through the Police Inspector,
Peth Beed Police Station,
Beed, District : Beed.

.. Respondent.

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Mr. Rajendra G. Hange, Advocate, for the applicant.

*Mr. S.J. Salgare, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 20TH AUGUST 2016

ORAL ORDER:

The applicant / accused in Crime No. 77/2016, for offences punishable under Sections 307, 323, 143, 147, 148, 149 of the Indian Penal Code; under Section 4 read with Section 27 of the Arms Act and under Section 135 of the Maharashtra Police Act, registered with Beed Peth Police Station, District

Beed, by this application, is praying for releasing him on bail after filing of the charge-sheet.

2. Heard the learned Counsel for the applicant / accused. By drawing my attention to the order dated 14th July 2016, passed by this Court in Criminal Application No. 3448 of 2016, the learned Counsel submitted that he had withdrawn the application for bail made to this Court and applied for bail before the Sessions Court. However, the application preferred by the applicant came to be rejected. The learned Counsel pointed out that all other co-accused are already released on bail.

3. The learned Addl. Public Prosecutor opposed the application by contending that the crime in question is serious.

4. Perused the charge-sheet. Informant Babu Pawar had reported that he was murderously assaulted by accused persons. Perusal of the charge-sheet shows that co-accused Raju Tak had assaulted Babu Pawar by means of sword. So far as present applicant is concerned, it is averred that he assaulted the injured by means of stick. Now, the case is committed to the Court of Sessions. Principal accused Raju Tak is already released on bail.

5. In that view of the matter, further pre-trial detention of the applicant is not warranted.

Hence, the following order :-

(a) The application is allowed.

(b) The applicant / accused in the above crime, be released on bail on his executing P.R. Bond in the sum of Rs. 15,000/- and one or more solvent sureties of the like amount.

(c) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

(d) The applicant shall not tamper with the prosecution evidence in any manner and shall cooperate the learned trial Judge in expeditious disposal of the trial.

(e) The applicant shall not repeat commission of similar type of offences in future.

6. The Application stands disposed of in the aforesaid terms.

(A.M. BADAR)
JUDGE

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