

Criminal Application No. 4558 of 2016

District : Aurangabad

versus

The State of Maharashtra. .. Respondent.

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Mr. A.S. Shinde, Addl. Public Prosecutor, for
the respondent.

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CORAM : A.M. BADAR, J.

DATE : 25TH AUGUST 2016

ORAL ORDER:

The applicant / accused in Crime No. 109/2016, for the offence punishable under Section 307 of the Indian Penal Code, registered with Police Station, Gangapur, District Aurangabad, by this application, is praying for releasing him on bail.

2. Heard the learned Counsel for the applicant

as well as the learned Addl. Public Prosecutor for the respondent.

3. The learned Addl. Public Prosecutor opposed the application by contending that there are eye witnesses to the incident in question and weapon of offence was *Koyata*.

4. Now, investigation is over. Perused the charge-sheet. The crime in question is registered on the basis of report lodged by Rambhau s/o. Shankar Thorat, who is injured in the incident in question. According to the prosecution case, the applicant / accused was suspecting that Rambhau is having illicit relations with his wife Sunita. Therefore, according to the prosecution case, on 21.03.2016, applicant Ganesh Thorat assaulted Rambhau by means of *Koyata*.

5. Perusal of injury certificate shows that Rambhau has suffered four injuries, nature of which is reported to be simple. The charge-sheet does not disclose any criminal antecedents of the present applicant nor there is material to infer that after release on bail, the applicant will not be available for trial.

6. Hence, I pass 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. 10,000/- and on furnishing 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.

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

(A.M. BADAR)
JUDGE

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