

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

6 CRIMINAL APPLICATION NO. 4984 OF 2016

SUBHASH S/O ANNA GHODKE

VERSUS

THE STATE OF MAHARASHTRA

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Mr. V.D.Sapkal, Advocate for Applicant.

Mr. N.B.Patil, A.P.P. for Resp. – State.

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CORAM : A.M.BADAR, J.

DATE : 20th SEPTEMBER, 2016

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PER COURT :

1. The applicant/accused in Crime No. 218/2016 registered at Renapur police station, Tq. Renapur, Dist. Latur for the offences punishable u/ss 307,324,323,504,506 read with 34 of the Indian Penal Code, by this application is praying for releasing him on bail.

2. Heard the learned counsel for applicant. According to him, the informant had modulated her version to suit the prosecution case by giving supplementary statement, in which another weapon is attributed to the present applicant.

3. The learned A.P.P. opposed the application by submitting that the intention of the accused persons can be reflected from the injuries caused to the informant. He further argued that the version of the informant is gaining corroboration from the statement of other witnesses.

4. Perused the papers of investigation and F.I.R. lodged by injured witness Meerabai. The applicant is her brother-in-law. The averments are to the effect that the applicant as well as his sons entered in the field of the informant and assaulted her by means of sickles and axe. The injury certificate of the informant shows that she suffered C.L.Ws. as well as contusions. *Prima facie*, it appears that the investigation *qua* the present applicant is already over.

5. In this view of the matter, considering the averments as well as seat of injuries suffered by the informant, further pre-trial detention of the present applicant in the crime in question is not warranted. Hence, the following order.

(i) The application is allowed.

(ii) The applicant Subhash s/o Anna Ghodke in Crime No. 218/2016 registered at Renapur police station, Tq. Renapur, Dist. Latur for the offences punishable u/ss 307,324,323,504,506 read with 34 of the Indian Penal Code be released on bail on executing P.R. Bond of Rs. 25,000/- [Rupees Twenty 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.

(v) The applicant shall co-operate the trial Court in the expeditious disposal of trial against him.

[A.M.BADAR, J.]