

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

Criminal Application No. 5010 of 2016

District : Ahmednagar

1. Santosh s/o. Narayan Palwe,
Age : 24 years,
Occupation : Agriculture,
R/o. Ranegaon,
Taluka : Shevgaon,
District : Ahmednagar.

 2. Ganesh s/o. Narayan Palwe,
Age : 22 years,
Occupation : Agriculture,
R/o. Ranegaon,
Taluka : Shevgaon,
District : Ahmednagar.
- .. Applicants.

versus

The State of Maharashtra,
Through Police Inspector,
Police Station, Shevgaon,
Taluka : Shevgaon,
District : Ahmednagar.

.. Respondent.

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Mr. R.G. Hange, Advocate, for applicants.

*Mr. S.M. Ganachari, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 10TH OCTOBER 2016

ORAL ORDER:

Applicants / accused in Crime No. 188/2016 registered with Police Station, Shevgaon, District Ahmednagar, for offences punishable under Sections 307, 326, 324, 323, 504, 506, read with Section 34 of the Indian Penal Code, by this application, are seeking release on bail.

2. Heard the learned Counsel appearing for applicants / accused. By drawing my attention to the FIR lodged by Vishnu s/o. Vikram Palve, he argued that even the FIR shows that only one blow was given to victims of the crime in question and therefore there cannot be any intention to kill members of the prosecuting party. The learned Counsel further argued that both injured are already discharged from the hospital and they are moving freely in the village.

3. The learned Addl. Public Prosecutor opposed the application by contending that because of injuries suffered, one of the victims has suffered paralysis. The learned Addl. Public Prosecutor further argued that the offence is still under investigation.

4. Perused the FIR lodged by Vishnu Palve. According to the informant, on 07.07.2016, accused

persons including both applicants, have assaulted him as well as his father Vikram by means of axe and spade.

5. Injury certificates shows that injured Vikram has suffered grievous injury and the Doctor opined that such injury may lead into death. The informant has also suffered contused lacerated wound. It is seen from statements of victims that Vikram has suffered paralysis and half of the portion of his body became immobile. This was the version of injured Vikram on 28.08.2016 as well as on 06.10.2016. The offence is still under investigation.

6. In this view of the matter, at this stage, applicants cannot be released on bail.

7. The Application is accordingly rejected.

(A.M. BADAR)
JUDGE

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