

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

Criminal Application No. 5179 of 2016

District : Ahmednagar

Raoji @ Bittu s/o. Krushna Waikar,
Age : 28 years,
Occupation : Press reporter,
R/o. Kanda Market,
Shrirampur,
District : Ahmednagar.

.. Applicant.

versus

The State of Maharashtra,
through Police Station Officer,
Shrirampur City Police Station,
Shrirampur, Dist. Ahmednagar.

.. Respondent.

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*Mr. Shaikh Mazhar A. Jahagirdar, Advocate, for
the applicant.*

*Mr. S.P. Sonpawale, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 10TH OCTOBER 2016

ORAL ORDER:

The applicant / accused in Crime No. I-209/2016 registered with Shrirampur City Police Station, Taluka Shrirampur, District Ahmednagar, for offences punishable under Sections 307, 143, 147,

148, 149, 323, 341, 504 and 506 of the Indian Penal Code, by this application, is seeking his release on bail.

2. Heard the learned Counsel appearing for the applicant / accused as well as the learned Addl. Public Prosecutor appearing for the respondent / State.

3. The learned Counsel for the applicant argued that considering the nature of injuries and weapons allegedly used in the crime in question, further pre-trial detention of the applicant is not warranted.

4. The learned Addl. Public Prosecutor opposed the application by contending that the investigation is still going on and the crime in question is serious.

5. Perused papers of investigation. FIR is lodged by Dipak s/o. Bhimaji Sanap who is an accused in murder case. As per version of the informant, on 16.08.2016, he had gone to the Court for attending the date of hearing in the case pending against him. Thereafter when he started proceeding towards his house, accused persons including the present applicant came there and assaulted him. According to informant Dipak Sanap, the present applicant has assaulted him by means of a wooden log and iron pipe.

It is further averred that the present applicant had instigated others to assault him. According to the informant, Kishor Gangawane has assaulted him by means of iron pipe on head. He further alleged that his friends Lakhan Makhija and Sandip Pawar were also assaulted by accused persons.

6. Perusal of injury certificates of Dipak Sanap, Sandip Pawar and Lakhan Makhija shows that they had suffered injuries in the nature of abrasion, blunt trauma, contusions, etc. Necessary investigation qua the present applicant appears to be over. Therefore further pre-trial detention of the present applicant in the crime in question is not warranted.

7. 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. 25,000/- and on furnishing one or more solvent sureties of the like amount.

(c) As conditions of this order, the applicant shall abide by the following directives :-

(i) 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.

(ii) 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, in the event of filing charge-sheet, if any, against him.

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

(d) The Application stands disposed of in the above terms.

(A.M. BADAR)
JUDGE

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