

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

CRIMINAL APPLICATION NO. 5232 OF 2016

Shivaji Sambhaji Parkad .. Applicant
Age. 60 years, Occ. Agri.,
R/o. Loni, Tq. Jamkhed,
Dist. Ahmednagar.

Versus

The State of Maharashtra .. Respondent

Mr.B.R. Kedar, Advocate for the applicant.
Mr.S.B. Yawalkar, APP for respondent/State.

CORAM : A.M. BADAR,J.

DATED : 27.10.2016

P.C. :-

1. The applicant/accused in Crime No.I-131 of 2016, registered with Jamkhed Police Station for offences punishable under sections 326, 325, 323, 504, 506 read with section 34 of the Indian Penal Code, by this application, is seeking his release on bail.

2. Heard learned Counsel for the applicant and learned A.P.P.

3. Learned A.P.P. opposed the application by contending that there is every possibility of repetition of crime in question as the applicant is related to the prosecuting party and they are having hostility.

4. Perused papers of investigation. The applicant is real brother of the informant. The informant suspected that the applicant and his sons created a trouble in settlement of marriage of his daughter. According to the prosecution case on 16.08.2016, the applicant and his associates assaulted informant Balasaheb Parkad as well as Anna Parkad and Vinod Parkad. Perusal of injury certificate shows that Anna and Balasaheb suffered grievous injury whereas Vinod suffered simple injury. Learned A.P.P. makes a statement that all injured are already discharged from the hospital. As such, possibility of turning the offence in the graver one is not there. Substantial part of the investigation is already over. Apprehension of the prosecution can be taken care of by imposing necessary conditions. Hence, I see no reason to deny bail to the applicant. Therefore, the order :-

O R D E R

- i) The application is allowed.
- ii) Applicant/accused-Shivaji Sambhaji Parkad in Crime No.I-131 of 2016, registered with Jamkhed Police Station for offences punishable under sections 326, 325, 323, 504, 506 read with

section 34 of the Indian Penal Code, be released on bail on executing P.R.Bond of Rs. 15,000/- [Rupees Fifteen 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 to co-operate the trial Court in the expeditious disposal of trial against him, on filing of charge-sheet, if any.

[A.M. BADAR, J.]