

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 1897 OF 2016

Dashrath L. Yamgar

... Applicant

vs.

The State of Maharashtra

... Respondent

Ms. Lakshmi Raman, Advocate for the applicant.

Mr. A. S. Patil, A.P.P. for the State/respondent.

Coram : N. W. SAMBRE, J.

Date : 15th November, 2016

P.C. :

1. The applicant is seeking regular bail in Crime No.93 of 2016 for the offences punishable under Sections 307, 326, 34 Indian Penal Code and under Sections 37(1), 135 of the Mumbai Police Act and Sections 4, 27 of the Arms Act.

2. It is not in dispute that other co-accused Kiran has been earlier released on bail by the learned Sessions Judge vide order dated 21st July, 2016.

3. The nature of allegation against the present applicant appears to similar to that of other co-accused Kiran. Additional attribution against the applicant is use of sword in assault on the

complainant.

4. There is no prior history of any crime against the present applicant. Apart from above, the investigation in the matter is complete, after filing the charge sheet the charge is already framed. On 14th March, 2016 applicant was arrested.

5. The applicant is very much available for the prosecution as he appears to be engineering student. In absence of any criminal antecedent and prima facie the case against the applicant appears to be covered at the most under Section 326.

6. The applicant as such is released on P. R. Bond of Rs.25,000/- with one surety of like amount. Two consecutive absence of the applicant before the Sessions Judge gives right to the learned Sessions Judge to proceed with the cancellation of bail of the applicant. Application stands allowed in above terms.

[N. W. SAMBRE, J.]