

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO.86/2016

Amit S/o Subhash Adhikari

..Versus..

State of Maharashtra, through P.S.O. Aheri, Tah. Aheri, Distt. Gadchiroli

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 4.3.2016

Heard Shri Amol S. Mardikar, advocate for the applicant and Shri N.B. Jawade, A.P.P. for the non-applicant.

The applicant is arrested on 18th September, 2015 in crime registered against him for the offence punishable under Section 307 and 34 of the Indian Penal Code.

The accusations against the applicant are that he had poured kerosene on his wife and gave blows by stick to his wife, however, she could manage to run away before the applicant could cause major or fatal injuries.

Shri Mardikar, advocate has submitted that considering the nature of injuries, the applicant cannot be prosecuted for the offence punishable under Section 307 of the Indian Penal

Code.

In view of the facts on the record and the nature of allegations against the applicant and as the non-applicant has not been able to show that the custody of applicant is required for further investigation, I am of the view that the applicant is entitled to be released on bail.

Hence, the following order:

- (i) The applicant having been arrested in Crime No. 42/2015 registered by the non-applicant, he be released on bail on furnishing P.R. bond in the sum of Rs.20,000/- (Rs. Twenty Thousand Only) and one solvent surety in the like amount.
- (ii) The applicant shall attend the sessions trial regularly before the Sessions Court. In default on the part of the applicant to attend the sessions trial on any date, without seeking exemption for the Sessions Court, this order shall stand recalled.
- (iii) The application is allowed accordingly.

JUDGE