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

CRIMINAL APPLICATION NO.18 OF 2017

Akash s/o Sitaram Pawar,
Age : 19 years, Occu. Education
R/o Ramnagar Sangavi (Bk), Tq.
Nanded, Dist. Nanded

..APPLICANT

VERSUS

The State of Maharashtra
Through P.S. Vimantal,
Tq. Nanded, Dist. Nanded

..RESPONDENT

Mr Ganesh P. Shinde, Advocate for applicant;
Mr S.M. Ganachari, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 27th January, 2017

ORAL ORDER

By this application under Section 439 of the Code of Criminal Procedure, the applicants seeks his release on bail, in connection with C.R. No.299 of 2016, registered with Police Station Vimantal, Nanded, Tq. & Dist. Nanded, for offences punishable under Sections 307, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code and Section 135 of the Bombay Police Act.

2. On perusal of the first information report it could be inferred that the common intention is attributed to the applicant in the crime in question.

3. The first information report and other material does not depict any grievous injury to the victim at the behest of the applicant. No role of active

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participation in the crime in question with any deadly or dangerous weapon is attributed to the applicant.

4. What could be inferred from the first information report and other material available on record is, the applicant was physically present at the time of commission of the offence.

5. There are no criminal antecedents. The investigation is at advanced stage and custodial interrogation of the applicant is already over. His role cannot be compared with that of the other accused persons, who are named in the first information report.

6. In the above background, the application deserves to be allowed. Hence, following order :-

The applicant be released on bail, in connection with C.R. No.299 of 2016, registered with Police Station Vimantal, Nanded, Tq. & Dist. Nanded, for offences punishable under Sections 307, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code and Section 135 of the Bombay Police Act, on furnishing P.R. Bond of Rs.20,000/- with one or two sureties for the like amount.

The applicant shall not take any steps to influence the prosecution witnesses or tamper with evidence.

(3)

Two consecutive absence of the applicant before the Trial Court will entail the said Court to take up proceedings for cancellation of bail.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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