

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

8 CRIMINAL APPLICATION NO. 1553 OF 2017

RAHUL ANIL PARDESHI
VERSUS
THE STATE OF MAHARASHTRA

Shri. Satej S. Jadhav, Advocate, for applicant.

Shri. R.V. Dasalkar, Additional Public Prosecutor, for
respondent.

Coram: T.V. NALAWADE, J.

Date: 18 April 2017

ORDER:

1) The application is filed for bail. Both the sides are heard. Papers of investigation were made available to this Court. Charge sheet is filed for offences punishable under sections 307, 149 etc. of Indian Penal Code.

2) The crime is registered on the basis of report given by one Manoj Amle who is aged about 23 years. The present applicant aged about 19 years was the friend of Manoj. Manoj had given some hand loan to present

applicant and Manoj was insisting the present applicant to return the amount. On that count, there was quarrel between Manoj and present applicant on 18-9-2016 in the evening time. Allegations are made that on the same day after 9.40 p.m. present applicant, his relatives went to the house of Manoj. they picked up quarrel. Allegations are made that during quarrel assault was made on the relatives of Manoj by the persons who had come with present applicant. Allegations are made one Vinod Amle was assaulted by Bapu Pardeshi by using iron rod and present applicant assaulted Aba Sonawane by using a stick. The incident was witnessed by many persons.

3) Injury certificate in respect of Vinod Amle shows that, due to blows given on his head and chest, he sustained fracture injury to the skull bone and his condition was serious. Due to injury sustained by Vinod Amle, section 307, Indian Penal Code is used. The injury certificate in respect of Aba Sonawane shows that he sustained blunt trauma over right side of neck and there was complaint of pain over right thumb.

4) The learned Additional Public Prosecutor submitted that section 149, Indian Penal Code is used and so present applicant is responsible for the injury caused to Vinod Amle also.

5) The applicant is behind the bars since 19-9-2016. In view of the reasons behind the quarrel and the weapon used by the present applicant this Court holds that it is not desirable to keep the applicant behind the bars till disposal of the case filed against him.

6) In the result, the application is allowed. The applicant is to be released on bail in Crime No.137/2016 registered in Pachora Police Station, District Jalgaon for offences punishable under sections 307, 143, 147, 148, 149, 323, 504 etc. of the Indian Penal Code on his furnishing Personal Bond of Rs.40,000/- with one or more solvent sureties of the like amount. The applicant is not to tamper with prosecution witnesses. He is not commit similar offences.

Sd/-
(T.V. NALAWADE, J.)

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