

Ashok s/o Kishan Dhotre ... **Applicant**
Age 28 years, Occu: Labour,
R/o Ulhas Naga, Nanded,
Taluka & District Nanded

The State of Maharashtra ... Respondent
Through Bhagyanagar Police
Station, Nanded Dist. Nanded

DATE : 28th June, 2017

1. Heard Mr. Ghanekar, learned counsel for the applicant and Mr. Joshi, learned APP for the State.

3. One Baburao Chinchoke lodged complaint with Bhagyanagar Police Station on 14.06.2016 alleging that on 12.06.2016, when the complainant alongwith his

cousin brothers was proceeding from the lane of accused persons, at that time, the present applicant, his father Kisan, brother Subhash, and his friends, in all 12 persons, assaulted the complainant on his leg by means of stones. Due to the assault, both legs of the complainant were fractured. The accused also assaulted to cousin of the complainant namely Raju by means of stones and wooden log, in which he was seriously injured and subsequently died. On the basis of the complaint, aforesaid crime is registered against the accused persons.

4. Mr. Ghanekar, the learned counsel appearing for the applicant states that the other accused persons namely Kisan and Sakubai with the same allegations, have already been released on bail. Sakubai is released on bail by the Sessions Court and Kisan is released by this Court. Therefore, Mr. Ghanekar is claiming relief of bail on the ground of parity.

5. Looking to the contents of the first information report and the statements of witnesses, it appears that the present applicant and the accused persons, who are already released on bail, are on the same footing. Furthermore, after completing investigation, charge-

sheet is filed. The accused is behind bars since 18th June, 2016. In such circumstance, I am of the opinion, that the applicant is entitled for bail. Hence following order:

O R D E R

- i. The applicant shall be released on bail on his furnishing personal bond of Rs.25,000/-(Rupees twenty five thousand) with one solvent surety of like amount.
 - ii. The applicant shall not contact with the prosecution witnesses and shall not tamper with prosecution evidence in any manner.
6. Criminal application is disposed of.

(K. L. WADANE, J.)

JPC