

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

CRIMINAL APPLICATION NO. 1636 OF 2017

Samadhan Shankar Aher .. Applicant
Age. 25 years, Occ. Labour,
R/o. Agathan, Tq. Gangapur,
Dist. Aurangabad.

Versus

The State of Maharashtra .. Respondent

Mr.Abhaysinh K. Bhosale, Advocate for the applicant.
Mr.M.M. Nerlikar, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE,J.
DATED : 07.04.2017

P.C. :-

1. This application is filed for bail. Both the sides are heard. Papers of investigation are made available for perusal of this Court, by the learned A.P.P.

2. This Court has carefully gone through the papers of investigation. The crime is registered as C.R. No.27 of 2017 with Shillegaon Police Station, Dist. Aurangabad (Rural) for offences punishable under section 307, 504, 506 of the Indian Penal Code, on the report given by one Nandkumar Suresh Badoge. In his village Agathan, his cousin brother Balu Badoge also lives. Poonam is

daughter of Balu. Poonam was already married. The complainant and his family were opposing the marriage of Poonam with the applicant and due to that there was some dispute. The incident took place on 31.01.2017 at about 10.00 p.m. It was contention of the complainant that when Vithal Mokale, Kachru Mokale and Dagabai Jadhav were present near the statue of Dr. Babasaheb Ambedkar, the applicant came there and picked quarrel. The allegations are made that applicant by using iron shock-up gave blows on head and limb of the complainant. The complainant sustained bleeding injuries. The injury certificate shows that there was one injury like CLW on scalp 3x2x1, but the injury is described as simple injury. The patient was referred to Surgical Department for suturing over right hand, right thigh and left thigh. There is direct evidence in support of the allegation.

3. The applicant is behind the bar from 01.02.2017. In view of the circumstance that the applicant has been behind the bar for more than two months, it is not desirable to keep him behind the bar further. It is not certain that how much time will be required for disposal of the case.

i. In the result, the application is allowed.

ii. The applicant be released on bail in connection with aforesaid crime, on his furnishing PB & SB of Rs.30,000/- (Rupees Thirty Thousand).

iii. The applicant is not to tamper with the prosecution witnesses.

iv. The applicant is not to commit similar offence.

[T.V. NALAWADE, J.]