

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

CRIMINAL APPLICATION NO. 1737 OF 2017

Shivaji s/o. Karbhari Mhaske .. Applicant
Age. 46 years, Occ. Agriculture,
R/o. At post Dongaon, Tq. Gangapur,
Dist. Aurangabad.

Versus

The State of Maharashtra .. Respondent
Through Police Station Silegaon,
Tal. Gangapur, Dist. Aurangabad.

Mr.K.T. Shirurkar, Advocate for the applicant.
Mr.S.W. Munde, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.

DATED : 12.04.2017

P.C. :-

1. The application is for bail. Both the sides are heard. The papers of investigation were made available.

2. Learned Counsel for the applicant mainly placed reliance on compromise document produced on record. It appears that Yuvraj, the main injured person has filed affidavit that he has compromised the dispute with the present applicant. The applicant is real brother of Yuvraj and allegation is made that out of some dispute over the property, the applicant gave blow of axe on the

head of Yuvraj. The applicant is behind the bar for more than one year. In view of the aforesaid circumstances, this Court holds that it is not desirable to keep the applicant behind the bar till disposal of the case.

i. In the result, the application is allowed.

ii. The applicant-Shivaji s/o. Karbhari Mhaske be released on bail, in connection with Crime No.34 of 2016 registered with Shillegaon Police Station, Dist. Aurangabad, for the offences punishable under section 307, 323, 504, 506, 326 read with 34 of the Indian Penal Code, on his furnishing PR & SB of Rs.15,000/- (Rupees Fifteen Thousand). He is not to tamper the prosecution witnesses and he is not to commit similar offence.

3. Authenticated copy of this order be supplied to the parties.

[T.V. NALAWADE, J.]