

CRIMINAL APPLICATION NO. 2279 OF 2017

VERSUS

The State of Maharashtra ... Respondent

.....
Mr. V.U.Panpatil, advocate for the applicant
Mr. A.A.Jagatkar, A.P.P for respondent

DATED : 8th JUNE, 2017

O R D E R :

Heard Mr. V.U.Panpatil, learned counsel
for the applicant and Mr. A.A.Jagatkar, learned
A.P.P. for respondent.

2. Perused the papers of investigation. From the contents of the first information report, it reveals that it was lodged by injured Godabai Rajput on 9.3.2017. It is stated by informant injured that on 8.3.2017 she slept in front of her house, in the mid night two unknown persons came and demanded drinking water. They were speaking in marathi language. They kept some unknown article on her neck and caused injury, due to

which she became unconscious.

3. Learned A.P.P. submits that as per the statement of witness Pankaj Salunke the mobile phone and sim in his name were given to the present applicant for his use. He further states that mobile was lying on the spot of incident and during investigation it was seized.

4. Apart from this solitary circumstance, there is no other evidence to show participation of the present applicant in the alleged crime. During investigation, the applicant was arrested and after interrogation he was remanded to M.C.R. Prima facie, it appears that the material collected by the investigating officer during investigation is insufficient to establish the guilt of the accused in the present crime. These observations are prima facie. The Trial Court shall not influence upon the same at the time of conclusion of trial. Considering the facts and circumstances of the case and the evidence available on record, I am of the opinion that the applicant is entitled for grant of bail on certain

conditions.

5. Hence, Criminal Application is allowed.

(i) Applicant be released on bail in connection with Crime No. 69 of 2017, registered at Pishor police station, Taluka Kannad, District Aurangabad on furnishing P.R. bond of Rs. 25,000/- with one surety in the like amount.

(ii) Applicant shall not tamper with the evidence of prosecution in any manner and shall cooperate in further investigation.

(ii) Applicant shall attend the Pishor police station, Taluka Kannad, District Aurangabad once in a week i.e. on Sunday between 12.00 noon to 2.00 p.m. till filing of the charge sheet.

(iv) Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm/crap2279.17