

CRIMINAL APPLICATION NO. 2748 OF 2017

VERSUS

The State of Maharashtra ... Respondent

.....
Mr. N.S.Ghanekar, advocate for the applicants
Mr. A.S.Shinde, A.P.P for respondent

CORAM : K.L.WADANE, J.
DATED : 24th JULY, 2017

ORDER :

Heard Mr. N.S.Ghanekar, learned counsel appearing for the applicants and Mr. A.S.Shinde, learned A.P.P. for the respondent.

2. Mr. Ghanekar, learned counsel does not press the application of applicant no.1 for bail.

3. One Shiwaji Taynak lodged report to the M.I.D.C. Waluj police station, District Aurangabad alleging that on 4.5.2017 at about 1930 hours when he was standing in front of Jai Bhavani hotel at Ranjangaon, applicant no.1 along with his other

friends came on the vehicle and on seeing the informant he stopped the vehicle. He started quarrel due to previous transaction of money. All of them caught hold the informant and took in the vehicle. Applicant no.2 and another accused caught hold the informant and applicant no.1 assaulted the informant by means of knife. The allegations of assault by knife are against applicant no.1. There is no such serious allegation against applicant no.2. The only allegation against applicant no.2 is that he caught hold the informant. Injury certificate shows that there were three stab injuries over right thigh caused by sharp and pointed object.

4. In view of above, there is sufficient evidence against applicant no.1. Considering the nature of allegations against applicant no.2, applicant no.2 is entitled for bail.

5. Hence, the following order.

- (i) Criminal Application is partly allowed.
- (ii) Applicant no.2-Kunal @ Ilu Gopichand Nandwanshi shall be released on bail in connection

with Crime No. 307 of 2017, registered with M.I.D.C. Waluj police station, District Aurangabad, on his furnishing P.R. bond of Rs. 10,000/- with one solvent surety in the like amount.

(iii) Application of applicant no.1-Kishor Baburao Lohkare being not pressed stands disposed of as withdrawn, with liberty to applicant no.1 to renew his prayer for bail before learned Sessions Judge after filing of the charge sheet.

6. In the above terms, Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm