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

**CRIMINAL APPLICATION NO.3277 OF 2016
IN
CRIMINAL APPLICATION NO. 2845 OF 2016**

Sambhaji s/o Kisan Palve,
Age: 45 years, Occ: Business,
R/o. Kolhar, Tal. Pathardi,
District Ahmednagar. ..APPLICANT

VERSUS

1. The State of Maharashtra,
Through Police Station, Sonai,
Tal. Newasa, Dist. Ahmednagar.
2. Ganesh s/o Ramdas Gore,
Age: 25 years, Occ: Service,
R/o. Ghatkopar, Mumbai. ..RESPONDENTS

Mr S.S. Thombre, Advocate for applicant;
Mr V.S. Badakh, Addl. Public Prosecutor for
respondent No.1;
Mr D.R. Markad, Advocate for respondent No.2

CORAM : N.W. SAMBRE, J.

DATE : 23rd JANUARY, 2017

ORAL ORDER :

This Court, on 8th June, 2016, while granting pre-arrest bail to respondent – accused, who is a public servant, observed that there are no criminal antecedents. It is also observed that the

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cause of grievous injury was attributed to accused Balasaheb.

2. While countering the same, Mr. Thombre, learned Counsel for the applicant would strenuously urge that there are resolutions on record so as to infer that respondent No.2 – accused is involved in similarly type of offence and also relied upon the injury certificate so as to canvass that respondent No. 2 is responsible for grievous injury.

3. From the record, it depicts that even if there are resolutions passed by the Village Grampanchayat, however, the fact remains that the offence against respondent No.2, which is of similar with that of one, in which bail was granted.

4. So far as issue of injury certificate is concerned, this Court has held the same, in view of material as was available before this Court at the relevant time. As such, no case for cancellation

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of bail is made out. Criminal Application fails
and stands rejected.

(N.W. SAMBRE, J.)

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