

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

CRIMINAL APPLICATION NO. 3066 OF 2017

Vaijnath Sopan Tehale

... Applicant

VERSUS

The State of Maharashtra

... Respondent

.....

Mr. S.J.Salunke, advocate for the applicant

Mr. A.S.Shinde, A.P.P for respondent

.....

CORAM : K.L.WADANE, J.

DATED : 17th JULY, 2017

O R D E R :

Heard Mr. Salunke, learned counsel appearing for the applicant and Mr. Shinde, learned A.P.P. for the respondent.

2. One Suresh Rathod lodged complaint to the police station Partur, District Jalna alleging that on 22.5.2017 he was in the marriage procession of his relative, in which horse of the applicant was taken on rent. There was delay in marriage procession, therefore, quarrel started between the applicant and relatives of the informant. Ultimately, the present applicant

called his relatives i.e. other accused persons at the place. Thereafter there was scuffle. At that time, present applicant gave knife blow on the chest of the informant and another accused Bhausahab gave a stick blow to the informant. Therefore, informant sustained injuries and was under treatment.

3. From the contents of the first information report and the statement of witnesses, it is seen that the incident sparked suddenly due to exchange of words as there was delay in marriage procession. Further more, injury certificate shows that the informant had sustained two CLWs.

" CLW 2 inch Lt. Parietal wall of head

CLW 1 inch @ Rt. Side xiphisternum deep parietal

Both CLWs stitched "

4. Mr. Salunke, learned counsel appearing for the applicant states that after medical treatment within 2-3 days the informant injured was discharged from the Hospital. Further, the weapon is recovered at the instance of present applicant. Practically investigation is over.

5. Considering the nature of accusation against the applicant and the fact that almost investigation is complete, the applicant can be released on bail by putting certain conditions.

6. Hence, the following order.

(i) Criminal Application is allowed.

(ii) The applicant shall be released on bail in connection with Crime No. 206 of 2017, registered with Partur police station, District Jalna, on his furnishing P.R. bond of Rs. 15,000/- with one solvent surety in the like amount.

(iii) Applicant shall not tamper with the evidence of prosecution in any manner and shall not enter limits of village Kakda Bhanu Naik Tanda, Taluka and District Jalna till conclusion of trial.

7. Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm