

CRIMINAL APPLICATION NO.3274 OF 2017

2) Rajesh @ Raju S/o
Rambhau Chavan ... Applicants

The State of Maharashtra ... Respondent

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Mr.S.J.Salunke, advocate for the applicants
Mr.K.N.Lokhande, A.P.P for respondent

CRIMINAL APPLICATION NO.3306 OF 2017

Ganesh S/o Rambhau Chavan ... Applicant

The State of Maharashtra ... Respondent

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Mr.S.J.Salunke, advocate for the applicants
Mr.K.N.Lokhande, A.P.P for respondent

CORAM : K.L.WADANE, J.
DATED : 12th JULY, 2017

ORDER :

Heard Mr.Salunke, learned counsel for the applicants and Mr. Lokhande, learned A.P.P. for respondent.

2. Informant Anil alleged that on 23.5.2017 at about 11.00 a.m. the present applicants and another accused Ganesh assaulted the informant, his mother and brother. In the assault they sustained bleeding injuries.

3. Mr.Salunke, learned counsel points out the contents of the first information report, in which it is mentioned that present applicant nos. 1 and 2 and one Rukhminibai Chavan assaulted the informant and his father with the help of axe, due to which there was bleeding injury to the head of informant. He further alleged that due to the assault 15 to 20 stitches were required to be taken.

4. In reference to the allegations in the first information report, this court has perused the injuries of informant, from which it is seen that the informant received 2 injuries, one grievous and another simple, however both the injuries are caused by hard and blunt object. So, apparently it is seen that assault on the informant was not from sharp edged side of the axe

and it may be from the blunt side of the axe.

5. Considering the nature of the injuries and that another accused Ganesh was already arrested, custodial interrogation of the applicants is not necessary. Applicant Ganesh in Criminal Application No.3306 of 2017 was arrested on 29.5.2017. The axe allegedly used in the crime was already seized at the instance of Ganesh. From the papers of investigation, it appears that practically investigation is over. In such circumstances the applicants can be released on bail.

6. Hence, the following order.

(i) Criminal Application No. 3274 of 2017 is allowed.

(ii) In the event of arrest, the applicant nos. 1 and 2 shall be released on bail in connection with Crime No.40 of 2017, registered with Ashti Police Station, District Jalna, on their executing P.R. bond of Rs. 10,000/- each with one solvent surety in the like amount.

(iii) The applicants shall attend Police Station,

Ashti, District Jalna once in a week i.e. on first Monday between 10.00 a.m. to 12.00 noon till filing of the charge-sheet.

(iv) The applicants shall not tamper with the prosecution evidence in any manner and shall co-operate in the investigation.

7. Criminal Application no.3306 of 2017 is allowed.

(i) The applicant shall be released on bail in connection with Crime No.40 of 2017, registered with Ashti Police Station, District Jalna, on his furnishing P.R. bond of Rs. 10,000/- with one solvent surety in the like amount.

8. Both the Criminal Applications are disposed of.

(K.L.WADANE, J.)

dbm