

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1330 OF 2017

Mangesh Navnath Shinde

Applicant

versus

The State of Maharashtra

Respondent

Mr.Sandeep Kocharekar with Tushar Pimple for Applicant.
Smt.Veera Shinde, APP, for State.

CORAM : PRAKASH D. NAIK, JJ.

DATE : 4th July 2017

PC :

1. This is an application for bail. The Applicant was arrested on 23rd May 2017 in connection with CR No.I-241 of 2017 registered with Kashimira Police Station. The offence was registered under Sections 324 and 427 of Indian Penal Code and under Sections 4 and 6 of Maharashtra Medicare Services Persons and Medicare Services Institution (Prevention of Violence and Damage or Loss of Property) Act, 2010 and Section 7 of Criminal Law Amendment Act.

2. The prosecution case is that a relative of the Applicant was taken for treatment in the hospital on 22nd May 2017. The Applicant assaulted the complainant with fist blows, which had resulted in injuries to the complainant. It is alleged that the Applicant was not satisfied with the treatment given to his relative and, therefore, he assaulted the doctor. The medical certificate indicates that the victim who is doctor, had sustained injuries on his person. The injury was caused on right temporo parietal region.

3. The investigation is complete and charge sheet has been filed against the Applicant. Learned advocate for the Applicant submitted that the Applicant is a student aged about 20 years. He is in custody since 23rd May 2017. On completing the investigation charge sheet has been filed and further detention is not required.

4. Learned APP submitted that although the Applicant is a young boy, he had indulged into violent act and assaulted the doctor as well as caused damage to the property of the hospital. The Applicant appears to be violent in nature and bail should not be granted.

5. Perused the first information report and the charge sheet. During pendency of this application, as submitted by the learned advocate for Applicant, charge sheet has been filed on 3rd July 2017. The nature of injury sustained by the injured is simple. The offences were registered under Sections 324 and 427 of Indian Penal Code. The Applicant is in custody from the date of arrest and the charge sheet has been filed. In the circumstances, bail can be granted to the Applicant.

6. Hence, I pass following order :

ORDER

- (i) Bail Application No.1330 of 2017 is allowed;
- (ii) The Applicant is directed to be released on bail in connection with CR No.I-241 of 2017 registered with Kashmirira Police Station on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

(iii) The Applicant is directed to report the investigating officer of Kashimira Police Station once in a week on every Saturday between 5.00 p.m. and 7.00 p.m. till further orders.

(PRAKASH D. NAIK, J.)

MST