

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1483 OF 2016

Dattu Kisan Ghumre

... Applicant

Vs.

The State of Maharashtra

.. Respondent

Mr.A.P. Mundargi, Senior Advocate with Mr.Girish Ghunke, Amol Rayate, Anukul Seth i/b P.V. Thorat for the Applicant

Mr.S.H. Yadav, APP, for Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 12, 2017

P.C. :

1. This application is moved for bail. The offence was registered at C.R. No.73 of 2015 registered with Wavi Police Station, Nashik as the applicant/accused has assaulted his mother on 7.5.2015 and he pressed her neck and gave fist blows on her chest. The other relatives intervened and that is how she could escape from the accused. The same day, the applicant/accused was arrested, hence, this Bail Application.

2. The learned Counsel for the applicant/accused submits that the mother was 80 years old at the time of the incident and is no more. The death certificate of Gangubai dated 11.10.2016 is handed over and taken on record.

3. Learned Prosecutor has opposed the application. He submits that apart from this case, there are three more cases against the applicant/accused out of which in one case, he is convicted under section 324 of the Indian Penal Code and the other two cases are pending.

4. Perused the injury certificate which shows that there are blunt trauma injuries on chest, neck and head. However, considering the FIR, the injury certificate and the fact that the injured mother is no more, I allow this application as under:

- i) The applicant/accused shall be released on furnishing P.R. bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
- ii) The applicant/accused shall not indulge into any criminal activity, especially against human body;

iii) The applicant/accused shall attend on all the Court dates.

5. Bail Application is disposed of on the above terms.

(MRIDULA BHATKAR, J.)