

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (ABA) NO. 449 OF 2017

(NARESH LAXMINARAYAN SAHU...VS.. STATE OF MAH. THR. P.S.O. PULGAON, DIST. WARDHA)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri D.R.Bhoyar, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 27, 2017.

Heard.

The applicant, apprehending arrest in crime registered against him for the offence punishable under Section 326 of the Indian Penal Code, has sought pre-arrest bail.

The crime is registered on the complaint lodged by Deokumar (neighbour of the applicant) that the applicant has assaulted him and has given a blow on his head by a stone.

The application is opposed on the ground that the investigation is in progress and the recovery of the stone used in the commission of the crime is not yet made. The learned advocate for the applicant has submitted that dispute about user of the common lane between the house of the complainant and the house of the applicant is going on and civil suit is pending and earlier also a crime is registered. It is pointed out that the applicant has also lodged complaint against Deokumar and four others and Crime No.807 of 2017 is registered by the non-applicant against them.

The applicant claims to be businessman. Except for the submission that the stone by which the complainant is assaulted is to be recovered, the non-applicant has not been able to point out that custody of the applicant is required for further investigation.

In the facts of the case, following order is passed :

In the event of arrest in Crime No.806 of 2017, registered by the non-applicant, the applicant be released on bail on executing P.R. Bond for Rs.Twenty Thousand.

The applicant shall attend Police Station, Pulgaon on every Sunday between 10.00 a.m. and 1.00 p.m. till charge-sheet is filed.

The application is **allowed** in the above terms.

CRI.APPLN.(APPP) NO.1020/2017.

In view of disposal of the bail application, the application praying for grant of time to file certified copy of order does not survive, hence, it is **disposed of**.

JUDGE