

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

CRIMINAL APPLICATION (BA) NO.736 OF 2017

Datta Manoharrao Kale

..vs..

State of Maharashtra, through PSO PS Akot (City)

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

Court's or Judge's Order

.....
Shri O.Y. Kashid, Counsel for the applicant.

Shri T.A. Mirza, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 4, 2017.

Heard learned counsel Shri O.Y. Kashid for the
applicant and learned Additional Public Prosecutor Shri T.A.
Mirza for the State.

This is an application for grant of bail.

The applicant is arrested in connection with Crime
No.248 of 2017 registered with the Police Station Akot (City),
District Akola for the offences punishable under Sections 326,
307, and 504 of the Indian Penal Code.

The application for bail is primarily opposed by
learned Additional Public Prosecutor Shri T.A. Mirza for the
State on the ground that the investigation is in progress and the
charge-sheet is not filed. However, learned Additional Public
Prosecutor is fair to the Court by pointing out that the

investigation is almost over and only formality of filing of the charge-sheet before the Court is remained to be done since the charge-sheet is sent to the higher-up for approval.

The first information report is lodged by Vijay Navale, one of injured. The first information report recites that prior to the actual assault, there was verbal altercation in between the present applicant and injured. Thereafter, the present applicant left the working place of the first informant. As per the first information report, for some time it is the first informant who went near the applicant and challenged as to why he abused him on the earlier part of the day. According to the prosecution, he was assaulted by means of knife.

The injured is already discharged from the hospital. Thus, there is no possibility of converting the present offence into more graver one. The weapon is already seized. The investigation is over. In that view of the matter, further custodial presence of the present applicant is not at all necessary. That leads me to pass the following order:

ORDER

- i) The criminal application is allowed.
- ii) The applicant be released on bail on his executing a P.R. Bond in the sum of Rs.25,000/- with two solvent sureties of the like amount in connection with Crime No.248 of 2017 registered

with the Police Station Akot (City), District Akola for the offences punishable under Sections 326, 307, and 504 of the Indian Penal Code.

iii) The applicant shall attend the Police Station Akot (City), District Akola once in a month i.e. on 3rd Saturday of every month, till culmination of the Trial.

iv) The applicant shall not pressurize any of the prosecution witnesses.

v) With this, the criminal application is disposed of.

JUDGE

!! BRW !!

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