

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

CRIMINAL APPLICATION (ABA) NO.629 OF 2017

Suraj s/o Ramesh Balkhande

..vs..

The State of Maharashtra, thr. PSO, PS Ballarpur, Tahsil Ballarpur, District
Chandrapur

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

Court's or Judge's Order

Shri Muzzamil Husain, Counsel for the applicant.

Shri I.J. Damle, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 6, 2017.

This is an application for anticipatory bail.

Though the application for grant of anticipatory bail is coming for the first time, today learned Additional Public Prosecutor Shri I.J. Damle for the State is ready with the matter. He has filed the reply on behalf of the State. This attempt, on the part of the Office of the Public Prosecutor and learned Additional Public Prosecutor Shri I.J. Damle for the State, is highly appreciated.

The applicant is apprehending his arrest in connection with Crime No.514 of 2017 registered with Police Station Ballarshah, District Chandrapur for the offences punishable under Section 324 and 326 read with Section 34 of the Indian Penal Code.

The first information report is lodged by Sau. Sunanda Pandhari Butale in respect of assault made on her son Rahul.

According to the prosecution, Rahul attended one marriage reception along with his friends and was taking dinner. However, it was found that 'Rice' was finished. When 'Rice' was demanded, there was verbal altercation in between Caterers and Rahul and his friends. At that time, according to the prosecution, employees of the Caterers Sachdeo Nishad and present applicant assaulted Rahul.

According to the first informant and according to the prosecution, role attributed to the present applicant is that the applicant has given fist blows only whereas role attributed against co-accused Sachdeo is that he has assaulted by means of a stick.

Looking to the accusations made against the present applicant that he has used only fist blows, in my view, there is no need of custody of the present applicant for the investigating officer. Therefore, I pass the following order:

ORDER

i) The criminal application is allowed.

ii) Applicant Suraj s/o Ramesh Balkhande, in event of his arrest in connection with Crime No.514 of

2017 registered with Police Station Ballarshah, District Chandrapur for the offences punishable under Section 324 and 326 read with Section 34 of the Indian Penal Code, be released on bail on he executing a P.R. Bond in the sum of Rs.5,000/- with two solvent sureties of the like amount.

iii) The applicant shall attend the police station twice a week in between 3:00 p.m. and 5:00 p.m. i.e. on every Saturday and every Sunday, till the charge-sheet is filed.

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

JUDGE

!! BRW !!

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