

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

CRIMINAL APPLICATION (ABA) NO.782/2016

Yash S/o Satishsing Parmar

..Vs..

State of Maharashtra, through P.S.O., P.S. Hudkeshwar, Nagpur

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

Court's or Judge's orders

Shri U.P. Dable, Advocate for the applicant.
Shri A.M. Deshpande, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 9.6.2017.

Heard.

The applicant has sought pre-arrest bail in crime registered against him alongwith his father and three or four others for offence punishable under Sections 307, 323, 294, 143, 148 and 149 of the Indian Penal Code. According to the investigating agency, on 27th October, 2016 the informant and injured Uttam were passing near the house of the applicant and at that time there was some dispute over barking of the dog of Uttam, and father of the applicant and the applicant assaulted the injured with hockey stick, iron rod, fists and kicks.

The application is opposed on the ground that there are several injuries on the body of the victim and the injured has stated about the assault by the applicant

and his father. The learned A.P.P. has submitted that the injured and the applicant are residing in the same locality and there is an apprehension of further dispute if the applicant is released on pre-arrest bail.

This Court has granted interim protection to the applicant by order passed on 1st December, 2016. The non-applicant has not made any complaint that the applicant has misused the interim protection. The apprehension expressed by the learned A.P.P. as recorded earlier is also not relevant in view of the fact that nothing adverse is reported against the applicant during this period of 6 months.

In the above facts, I am of the view, that the interim protection granted by this Court on 1st December, 2016 is required to be confirmed. It is confirmed and application is allowed accordingly.

JUDGE