

Anand

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

BAIL APPLICATION NO. 1114 OF 2018

Nagesh Shankar Bhojane

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. N. Mohite i/b. Mr. J. D. Mane, Advocate, for the Applicant

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

CORAM : SMT. SADHANA S. JADHAV, J.

DATE : 05.07.2018

P.C.

. Heard learned counsel for the Applicant and the learned
APP for the Respondent – State.

2. This is an Application under Section 439 of the Code of Criminal Procedure. The Applicant herein is arrested on 11.12.2017 in C. R. No. 564 of 2017, registered at Mangalwedha Police Station, Solapur (Rural) for the offences punishable under Sections 307, 324, 323, 504, 506, 143, 144, 147, 148, 149 of the Indian Penal Code and under Sections 4, 25 of the Arms Act. The investigation is completed and charge-sheet is filed. It appears to be a case of cross complaint. The case of the prosecution is that on 10.12.2017, Rajkumar Rudrappa

Gavade lodged a report at the police station alleging therein that on 10.12.2017 when he was in his agricultural land, the present Applicant alongwith the co-accused – Rajshekhar Kumbhar, Mahadev Kumbhar, Sudhakar Kumbhar and Tamanna Kumhar had assaulted him with deadly weapons. The Applicant had assaulted him with a stone lying nearby. The co-accused – Rajkumar Kumbhar and others have been granted pre-arrest bail by this Court (Coram : P. N. Deshmukh, J.) vide Order dated 02.04.2018.

3. Perused the Injury Certificates. The Complainant had received one incised wound below left axilla which was simple in nature. Similarly, the other injured had also received simple injuries.

4. Taking into consideration the fact that the Applicant has been in custody for more than 7 months, the Applicant deserves to be enlarged on bail.

5. Hence, I proceed to pass the following order.

ORDER

- (i) The Application is allowed;
- (ii) The Applicant be enlarged on bail on furnishing P. R. Bond in the sum of **Rs. 25,000/-** with one or more solvent sureties in the like amount;
- (iii) The Application stands disposed of accordingly.

(SMT. SADHANA S. JADHAV, J.)