

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

BAIL APPLICATION NO. 1912 OF 2018

Mr. Kishor Vasant Tribhuvan ..Applicant

v/s.

The State of Maharashtra . ..Respondents

Ms. Manisha Jagtap I/b. Amey Deshpande for the Applicant.

Ms. Pallavi Dabholkar , APP for the Respondent/State.

Mr. Prakash Keshav Borade, PSI, Ozar Police Stn. Nashik Rural Police Station, present.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : SEPTEMBER 07, 2018.

P.C.

1. This is an application filed under Section 439 Cr.P.C. by the aforesaid applicant, who has been arrested in Crime No. 80 of 2018 registered with Ojhar Police Station, at Niphad, Nashik for the offences under Section 143, 147, 323, 342, 365, 504, 506 of IPC.

2. Mr. Jagtap, the learned Counsel for the applicant and Ms. Dabholkar, the learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by one Sandesh Ghorande. The first informant report prima facie reveals that on 6th July, 2018 while the first informant and Sagar Pradhan were proceeding on Splender Motor-cycle, the cousin of the applicant slapped him on the face. As a result, they lost the balance and fell down. Later in the day while he and Sagar were standing outside his house, the applicant came by a Swift Dezire car and pulled him in the car. He threatened to cause his death, and thereafter took him to Samata Nagar and assaulted him by kicks and blows. The records prima facie reveal that the injuries sustained by the first informant were simple in nature . The applicant is in custody since 8th July, 2018. His presence is no longer required for interrogation or investigation . The applicant is a permanent resident of Ojhar and there are no chances of his absconding or thwarting the course of justice,

4. Considering the above facts and circumstances, in my considered view, this is a fit case to enlarge the applicant on bail. Hence, the order:-

- (i) The application is allowed;
- (ii) The applicant who is arrested in 80 of 2018 registered with Ojhar Police Station, at Niphad, Nashik, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the learned Addl. Sessions Judge, Nashik;
- (iii) The applicant shall report to the concerned police station on the first Monday of every month until further orders;
- (iv) The applicant shall not interfere with the complainant and the other witnesses in any manner;
- (v) The applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer and in the bail bond;
- (vi) The applicant shall not change his residential address without prior intimation to the Investigation Officer.

(ANUJA PRABHUDESSAI, J.)

