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

BAIL APPLICATION NO.3066 OF 2018

Nilesh Changdev Irkar

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. P.S. Hagare, for Applicant.

Mr. N.B. Patil, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 13th December 2018.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 825 of 2018 dated 13.10.2018 registered with Karmala Police Station, District Solapur(Rural) under Sections 307, 327, 143, 147, 148, 149, 506 of Indian Penal Code and under section 135 of Maharashtra Police Act.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record.

3] This Court by its Order dated 22.11.2018 granted pre-arrest bail to the co-accused Dipak C. Irkar, Balu R. Irkar and others predominantly on the ground that, medical certificate issued by the Sub-District Hospital,

Karmala, District Solapur indicates that, the injury received by Hiralal Ivare is an abrasion on head on left parietal region and is simple in nature. It is further observed in the said Order that, application of sections 307 and 326 to the present crime is misconceived and the offence as alleged at the most may fall within the ambit of section 324 of Indian Penal Code. There is no overt-act is attributed to the applicant. In view thereof, the present applicant is entitled to be released on bail.

Hence the following Order:-

- i] Applicant be released on bail in CR No. 825 of 2018 registered with Karmala Police Station, District Solapur, on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.
- ii] After his release from jail, the Applicant shall attend Aundh Police Station on every 1st Monday of the month between 10.00 a.m and 1.00 p.m till conclusion of trial.
- iii] Applicant shall also attend all the dates before the Trial Court.
- 4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)