

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

CRIMINAL BAIL APPLICATION NO. 510 OF 2019

Vikas Bapu Wagh ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. Niranjan Mundargi i/by Raviraj Paramane for Applicant.
Mr. A. A. Palkar, APP for Respondent – State.

**CORAM : NITIN W. SAMBRE, J.
DATE : FEBRUARY 13, 2019.**

P.C. :

. The Applicant is seeking regular bail in Crime No. 112 of 2018 for an offence punishable under Sections 302, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. After arrest on 6th July 2018 the Applicant came to be chargesheeted. The allegations against the Applicant are that of assault by a stick and the cause of death is head injury.

3. Having considered the contents of the First Information Report, in the background of the offence in question it would be noticed

that the incident in question is occurred in provocation of deceased Vasant Wagh and he has died by a single blow on head. In that view of the matter considering the intention which *prima facie* appears to be not amounting to culpable homicide death i.e. an offence punishable under Section 304-A of Indian Penal Code, in my opinion, a case for grant of bail is made out. Hence, the following order.

ORDER

- (A) The Applicant be released on bail in Crime No. 112 of 2018 for an offence punishable under Sections 302, 323, 504, 506 read with Section 34 of the Indian Penal Code on executing PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (B) Till framing of charge, the Applicant shall keep himself away from the jurisdiction of the police station.
- (C) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

4. Criminal Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)