

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

CRIMINAL BAIL APPLICATION NO. 3217 OF 2018

Babu Dyaneshwar Mhatre	... Applicant
Vs.	
State of Maharashtra	... Respondent

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Mr. R.G. Shatalwar I/by Shabnam Shaikh for the applicant.
Mrs. A.A. Takalkar, APP for the Respondent-State.
Mr. Satish D. Kadam, PSI is present.

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CORAM : PRAKASH D. NAIK, J.
DATE : 12th FEBRUARY, 2019.

P.C.

1. This is an application for bail in connection with CR No. 157of 2017 registered with Shahu Nagar Police Station for the offence punishable under Sections 302 of Indian Penal Code. First Information Report was lodged on 5th June, 2017.
2. The prosecution case is that the husband of the complainant was assaulted by the applicant by fist blows. During the assault, the applicant pushed the deceased on the iron ladder. The deceased fell down on the ground and become unconscious. Injured was then taken to hospital and there he was declared dead. The statement of the complainant was corroborated by other witnesses.

3. On perusal of the said statement it is apparent that the victim was assaulted by fist blows and during the assault his head was hit to the iron ladder. Apparently there was no intention to commit murder. Applicant is in custody from 5th June, 2017. Investigation is completed and chargesheet has been filed. In the circumstances, case for grant of bail is made out. Hence, I pass the following order.

ORDER

- i. Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in connection with C.R. No. 157 of 2017 registered with Shahu Nagar Police Station on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- iii. Applicant shall report to the Investigating Officer of the concerned police station once in a month on first Saturday of every month between 11 a.m. to 1 p.m. till further orders;
- iv. Applicant shall not approach the complainant or any other witnesses and shall not tamper with the evidence;
- v. Application stands disposed off.

(PRAKASH D. NAIK, J.)