

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 72 OF 2019
(Prashant Arun Mali .v. State of Maharashtra)

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's Orders

Shri M.N. Ali, Advocate for the applicant.
Shri N.R. Rode, APP for the respondent/State.

CORAM : M.G. GIRATKAR, J.
08TH FEBRUARY, 2019.

Heard.

Perused the report. It appears from the report that the injured and witnesses are the relatives of the applicant. There was petty quarrel and during the quarrel, the applicant gave blow of iron rod on the head of the deceased. Initially offence punishable under Sections 307, 324, 323, 504, 506 read with Section 34 came to be registered against the applicant.

Shri Ali, learned Counsel for the applicant has submitted that the applicant is a student aged about 19 years. Therefore, he prays for grant of bail.

Shri Rode, learned APP has strongly objected the present application.

Perused the FIR and statements. It appears that there was domestic quarrel. The deceased objected the quarrel in the house of the applicant. During the course of altercations, other persons in the house came out and started beating the deceased. In a fit of anger, the applicant gave blow of iron on the head of the deceased. At this stage, whether it was an intention or not is the question of fact to be decided by the trial Court.

Looking to the age of the applicant and the circumstances under which the offence is taken place, the applicant is entitled for bail. Hence, the following order.

In the result, the application is allowed. The applicant be released on bail on furnishing PR bond of Rs. 25,000/- (rupees twenty five thousand only) with one solvent surety in the like amount, on the following conditions.

The applicant shall not tamper the evidence of prosecution witnesses.

The applicant shall attend the trial Court on each and every date.

JUDGE

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