

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

Criminal Application (BA) No.636 of 2019
(Devidas Dinkar Ravanchavre .vs. State of Maharashtra through PSO PS
Nandura, Dist. Buldhana.)

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

Mr. P.R. Agrawal, Advocate for Applicant
Mr. H.R. Dhumale, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : August 09, 2019.

The applicant has approached this Court for grant of bail as he stood arrested on 03.04.2019 in connection with first information report (FIR) of the same day, whereby offences under Sections 307, 435 and 341 read with 34 of the Indian Penal Code were registered against him and his father and brother. It is pointed out that the father of the applicant was granted anticipatory bail and his brother has been released on regular bail.

2. The allegation in the present case is that the applicant and the co-accused persons assaulted the victim, who is the father of the complainant, resulting in injury and hospitalization of the victim. It is claimed that the applicant used a spear to assault the victim on his chest, causing serious injuries.

3. The learned counsel for the applicant has invited attention of this Court to a document showing injuries suffered by the applicant himself, allegedly at the time of the incident. There appeared to be two injuries suffered on the left hand by the applicant.

4. It is also pointed out that even as per the oral report leading to registration of the FIR, there has been a long standing dispute between the the rival parties. The material on record shows that while the applicant is attributed with the role of having used a spear to assault the victim, the applicant himself appeared to have suffered some injuries during the course of the incident. It has also come on record that the investigation is now completed and the charge-sheet is filed on 01.07.2019. The spear allegedly used during the course of the incident has been recovered by the Police. As noted above, the co-accused persons have been already released on bail, one of whom was released on anticipatory bail.

5. In view of the aforesaid material, the present application can be allowed by imposing stringent conditions on the applicant.

6. Accordingly, the present application is allowed and the applicant is directed to be released on bail in Crime No.200 of 2019 registered at Police Station Nandura, district Buldhana, on the following conditions:-

a) The applicant shall furnish P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand) and a surety in the like amount.

b) The applicant shall not enter village Dighi, tahsil Nandura, district Buldhana, during the pendency of the trial.

c) The applicant shall attend the proceedings before the trial Court on each and every date.

d) The applicant shall not influence witnesses.

7. Needless to say that violation of any of the conditions noted above, may lead to cancellation of bail granted to the applicant. It is clarified that the observations made in this order are limited to the question of grant of bail to the applicant.

JUDGE

halwai