

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1109 OF 2020

Anil Rangnath Jagtap

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. K.N. Shermale, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
(VACATION COURT)
DATED : 11th NOVEMBER, 2020**

PER COURT :

This is an application under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 230 of 2020 registered with Sangamner Taluka Police Station, Dist. Ahmednagar for the offences punishable under Sections 307, 326 and 504 of the Indian Penal Code.

2. Heard. Perused First Information Report ("F.I.R.", for short) and related police papers.

3. F.I.R. has been lodged by the victim himself on 14th May, 2020. The victim is a member of village panchayat, Talegaon Dighe. It is alleged in F.I.R. that on 14th May, 2020 itself, by 04.30 p.m., the applicant called the

informant on phone and asked him to come to Talegaon Dighe chowk. The informant went there. The applicant was present at the chowk alongwith Jagdamba Jagtap and Changdeo Jagtap. When the informant went close to them, the applicant suddenly fished out a knife and rained its blows on his chest, waist, wrist, etc. The informant was, therefore, rushed to the hospital at Sangamner. He lodged F.I.R. in the hospital itself.

4. Learned A.P.P. would submit that offence is serious one. It was a bid on the life of the informant. If the applicant is released on bail, he may again trouble the informant since both of them stayed in the same village.

5. Learned counsel for the applicant would, on the other hand, submit that for little over six months the applicant is behind bars. Investigation is over. The applicant is a driver on a school bus. School is going to be opened shortly. The applicant is ready to abide by any conditions that may be imposed while granting bail.

6. The allegations in F.I.R. indicate that the applicant has assaulted the informant with knife. He gave a number of blows. It is informed that the informant was discharged from the hospital within two days of the incident. The applicant is behind bars for little over six months. The investigation is over. It will take time for commencement of trial and conclusion thereof. Pre-trial detention of the applicant is unwarranted.

7. In the factual backdrop of the case, I am inclined to grant applicant bail. Hence, the following order :-

ORDER

(I) Application is allowed.

(II) The applicant be released, in connection with Crime No. 230 of 2020 registered with Sangamner Taluka Police Station, Dist. Ahmednagar for the offences punishable under Sections 307, 326 and 504 of the Indian Penal Code, the applicant be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety in the like amount.

(III) The applicant shall not enter village Junegaon, Talegaon Dighe, Tq. Sangamner, Dist. Ahmednagar, till further orders.

(IV) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD