

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

940 BAIL APPLICATION NO.1110 OF 2020

PRANAV S/O. RAJESHWAR SWAMI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. K A Kadam h/f Patil N.J.
APP for Respondent : Mr. A S Shinde

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CORAM : V.K. JADHAV, J.
Dated: October 07, 2020

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PER COURT :-

1. The applicant is seeking regular bail in connection with crime No.369 of 2020 registered with Vivekanand Chowk police station, Latur, District Latur for the offences punishable under Sections 307, 504, 34 of IPC. His application bearing Cri.M.A. no. 363 of 2020 with similar prayer came to be rejected by the learned Additional Sessions Judge, Latur, vide order dated 16.9.2020.

2. Learned counsel for the applicant submits that though name of the applicant is mentioned in the FIR, however a specific role is ascribed to him to the effect

that in the quarrel he has given a blow of katti on the head of the informant. Learned counsel submits that, allegations about causing grievous injuries on the abdomen of the informant has been made against co-accused Vikram Dede. Learned counsel submits that, the incident had taken place as of sudden without any premeditation and, in view of the same, if the individual acts are considered, the applicant has not caused any serious injury to the informant. There is no criminal history. The applicant may be released on bail.

3. Learned A.P.P. has strongly resisted the application on the ground that investigation is still in progress and name of the applicant is mentioned in the FIR with the specific role ascribed to him. The application may be rejected.

4. On going through the allegations made in the complaint and on perusal of the investigation papers, it appears that the incident had taken place without any premeditation as of sudden. It appears that quarrel was going on between Amol Gaikwad and Vikram Dede and

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at that time the informant has tried to intervene in the said quarrel. In consequence thereof, co-accused Vikram Dede removed knife of his waist and given a blow of knife on the abdomen of the informant. It appears that informant has sustained grievous injury on his abdomen. It has further alleged that meanwhile present applicant has also arrived and he has given a blow of Katti on the head of the informant. On perusal of the medico-legal certificate, it appears that the informant has sustained simple injury on head. Thus, considering the role ascribed to the applicant and since there is no criminal history, I am inclined to release the applicant on bail. Hence the following order :-

O R D E R

- I. Application is hereby allowed.
- II. The applicant PRANAV S/O. RAJESHWAR SWAMI, in connection with No.369 of 2020 registered with Vivekanand Chowk police station, Latur, District Latur for the offences punishable under Sections 307, 504, 34 of IPC be released on bail on furnishing personal bond of Rs.15,000/- (Rs.

Fifteen Thousand) with one surety of the like amount on following conditions :-

- a) The applicant shall not tamper with the prosecution evidence, in any manner.
- b) The applicant shall attend the concerned police station once in a week i.e. on every Sunday between 8.00 a.m. to 11.00 a.m. till filing of charge sheet.

III. Application is disposed off.

(V.K. JADHAV, J.)

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