

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

18 BAIL APPLICATION NO.1151 OF 2020
WITH
CRIMINAL APPLN NO.1869 OF 2020 IN BA
NO1151/2020

HANUMANTH S/O. SOMINATH TOGE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Khade Kishor D.
APP for Respondent : Mr. V S Badakh
Mr A V Thombre advocate for informant/assist to APP

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CORAM : V.K. JADHAV, J.
Dated: October 22, 2020

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PER COURT :-

1. Heard. For the reasons stated in the criminal application no.1869 of 2020, criminal application is allowed in terms of prayer clause 'B' and disposed off.

2. The applicant is seeking regular bail in connection with Crime No.323 of 2020 registered with Kaij Police Station, District Beed for the offences punishable under sections 307, 326, 324, 323, 504, 506, 143, 147, 148, and 149 of the Indian Penal Code. His application with similar prayer bearing Misc.

Criminal bail application No.396 of 2020 came to be rejected by the learned District Judge-1 and Additional Sessions Judge, Ambajogai vide order dated 21.9.2020.

3. Heard both sides.

4. It appears that the incident had taken place on account of some matrimonial discord. The informant Sundarrao Ghule has two sons namely Govind Ghule and Namdev Ghule. Informant's son Govind Ghule died some five years back. His wife Savita is residing with her parents, however, there was a dispute in respect of custody of five years old daughter namely Shravani. It is stated that under the courts order said daughter Shravani was with the informant. On 22.8.2020 co-accused and the applicant had been to the house of the informant and demanded custody of said Shravani and, accordingly, quarrel had taken place. It has been alleged against the present applicant that he has extended beating to injured Namdeo Ghule. I have perused the medico-legal certificate of said Namdev. He has sustained simple injuries on his fore-arm. Thus,

aaa/-

considering the nature of the allegations, I am inclined to grant bail to the applicant with certain conditions. Hence, following order.

O R D E R

- I. Application is hereby allowed.
- II. Applicant HANUMANTH S/O. SOMINATH TOGE in connection with Crime No.323 of 2020 registered with Kaij Police Station, District Beed for the offences punishable under sections 307, 326, 324, 323, 504, 506, 143, 147, 148, and 149 of the Indian Penal Code be released on bail on furnishing P.B. of Rs.5,000/- (Rs.Five Thousand) with one surety of the like amount on the following conditions :-
 - a] The applicant shall not tamper with the prosecution evidence, in any manner.
 - b] The applicant shall make himself available as and when required by the investigating officer in carrying out further investigation into the crime, if any.
- III. Bail application is accordingly disposed off.

(V.K. JADHAV, J.)

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