

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

BAIL APPLICATION NO.1278 OF 2020

**VENUNATH @ PINTYA MADHAV KALE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. K.N. Shermale
APP for Respondents/State : Mr. S.D. Ghayal
...

**CORAM : M.G. SEWLIKAR, J.
DATE : 20.11.2020
(Vacation Court)**

ORDER :-

Heard Shri Shermale learned counsel for the applicant and Smt. Gour learned APP for the State.

2. FIR has been lodged against the applicant on the allegations that the applicant assaulted the informant by means of Dagger on the head of the informant and when one Poonam who is the sister in law of the informant tried to intervene she was also assaulted by the applicant. This incident took place on 03.05.2020 at 09.30 am. On the basis of which offence under Section 307, 326, 324, 504, 506 read with Section 34 of the I.P.C. came to be registered against the applicant.

3. Shri Shermale learned counsel for the applicant argued that investigation is complete. Charge-sheet has also been filed. He submitted that both the injured witnesses have been discharged from the hospital. Shri Ghayal learned APP on instructions submitted that both of them have been discharged from the hospital. Therefore, there is no possibility of conversion of the offence into a serious one.

4. Shri Ghayal submitted that the applicant has a criminal background. Crime under Section 307 of the I.P.C. has been registered against him and another offence under Section 379 has also been registered against him. Therefore, if he is released on bail he is likely to commit similar kind of offence. Therefore, he opposes this application.

5. Shri Shermale produced the order of the Additional Sessions Judge, Sangamner in Sessions Case No.10 of 2017 which shows that the applicant has been acquitted from the said case. Having regard to this, I am inclined to release the applicant on bail. Hence, the following order is passed:

ORDER

- I) Application is allowed.
- II) The applicant be released on bail in connection with Crime No.209 of 2020 registered with Sangamner Taluka

Police Station, Tq. Sangamner, Ahmednagar for the offences punishable under 307, 326, 324, 504, 506 read with Section 34 of the I.P.C. on furnishing PR bond of Rs.75,000/- (Rupees Seventy Five Thousand) with one solvent surety in the like amount and on condition that he shall not in any manner influence the witnesses. He shall not enter village Malegaon Haveli Shivar, Taluka Sangamner, District Ahmednagar till the conclusion of the trial.

[M.G. SEWLIKAR, J.]