

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

BAIL APPLICATION NO.1296 OF 2020

Santosh s/o Uttam Gaikwad

Applicant

Versus

The State of Maharashtra

Respondent

Mr.B.S.Kudale, advocate for the applicant.

Mr.A.S.Shinde, APP for the Respondent.

CORAM : V.K.JADHAV, J.

DATE : 02nd December, 2020.

PC :

1 The applicant is seeking bail in connection with Crime No.303/2020, registered with Majalgaon City Police Station, for the offences punishable under Sections 353, 332, 160, 427 read with Section 34 of the Indian Penal Code and under Sections 4/25 of the Arms Act and Sections 37(1)(c) and 135 of the Bombay Police Act.

2 Heard both sides.

3 It appears that co-accused had already been to the Police Station and present applicant also went there for lodging the complaint. It further appears that in the Police Station itself, quarrel had taken place and in consequence thereof, co-accused Vaibhav took out a knife from the pocket of his trouser and attempted to assault the applicant. In the said scuffle, the informant/ASI, who has tried to

intervene, has sustained injury by the said knife on his right hand wrist. On the basis of these allegations, the applicant came to be arrested on 21st September, 2020.

4 Though the learned A.P.P. has strongly resisted the application mainly on the ground that the applicant is a history sheeter and there are near about 16 crimes registered against him, however, considering the nature of the allegations, I do not think that the applicant is at fault. The investigation is almost over for all practical purposes and according to the learned A.P.P., the charge sheet must have been submitted before the Court during the pendency of this application. I am, therefore, inclined to release the applicant on bail with certain conditions.

5 Hence, the following order:

(i) The applicant – Santosh s/o Uttam Gaikwad, in connection with Crime No.303/2020, registered with Majalgaon City Police Station, for the offences punishable under Sections 353, 332, 160, 427 read with Section 34 of the Indian Penal Code and under Sections 4/25 of the Arms Act and Sections 37(1)(c) and 135 of the Bombay Police Act, be released on bail on his furnishing Personal Bond of Rs.50,000/- (Rs.Fifty thousand) with one or two solvent surety/sureties 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 attend the concerned Police Station once in a week on every Sunday between 8.00 a.m. to 11.00 a.m. for a period of six months from the date of his release on bail.

(c) The applicant, while on bail, shall not commit any crime and in the event if the applicant commits any crime, the State would be at liberty to file an application for cancellation of bail.

6 The application is accordingly disposed of.

(V.K.JADHAV)
JUDGE

adb