

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

BAIL APPLICATION NO. 1339 OF 2020

Krushna @ Bajya Satish Sabale	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. S. R. Wakale, Advocate for the applicant
Mrs. V. N. Patil – Jadhav, APP for respondent - State

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**CORAM : R. G. AVACHAT, J.
(Vacation Court)**

DATED : 13th NOVEMBER, 2020

PER COURT :

. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.243 of 2020, registered at Belwandi Police Station, Taluka Shrigonda, District Ahmednagar, for the offences punishable under Sections 307, 325, 324, 323, 504, 506, 143, 147, 148, 149, 188, 269, 270 of the Indian Penal Code and under Section 2 of Epidemic Diseases Act, 1897.

2. Heard. Perused the First Information Report (FIR) and related papers.

The FIR has been lodged on 22.07.2020. It is alleged that the informant Abasaheb along with his father and cousin, were present near old High School at the village Koregaon (Chikhali). It was about 12.45 p.m., Dnyaneshwar Kolhe (Accused No.1) and six others including the applicant, came in a car. They were armed with iron rod and wooden sticks. Co-accused Dnyaneshwar asked the informant, not to make politics, "I will eliminate you now". Then, he and another co-accused Pramod assaulted the informant with iron rod and wooden stick, respectively. The father of the informant and cousin were assaulted by the applicant and co-accused Satish with iron rod and stick, respectively. The trio suffered serious injuries. The informant was rushed to the hospital, wherein, the FIR came to be recorded.

3. Learned APP would submit that the offence is serious one and the applicant therefore does not deserve bail.

4. The applicant is alleged to have assaulted with a stick. His victim suffered injury on hand and leg. The injury certificate on record indicates the injured to have suffered simple injuries. It is thus an offence punishable under Section 324 read with 34 of the Indian Penal Code. Similarly placed co-accused have been granted

bail. Investigation of the crime is over. The applicant is behind the bars since 23.07.2020. In this pandemic situation, trial is not likely to be commenced in near future and taken to its logical conclusion. I am, therefore, inclined to grant the applicant, bail. Hence, following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.243 of 2020, registered at Belwandi Police Station, Taluka Shrigonda, District Ahmednagar, for the offences punishable under Sections 307, 325, 324, 323, 504, 506, 143, 147, 148, 149, 188, 269, 270 of the Indian Penal Code and under Section 2 of Epidemic Diseases Act, 1897, on executing P. R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with surety in the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]