

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.3029 OF 2019

Manjunath Sidram Jadhav	.. Applicant
<i>Vs.</i>	
State of Maharashtra	.. Respondent

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Mr.Arun Rajput i/b. Ms.Anjali Patil, Advocate for the Applicant.
Mr.S.H. Yadav, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 04, 2020.

P.C. :

This is an application for bail in connection with C.R.No.135 of 2019, registered with Salgar Vasti Police Station, Solapur, for the offences punishable under Sections 307, 504, 506, 143, 147, 148 and 149 of Indian Penal Code (“IPC”, for short) and Sections 4/25 of the Arms Act, as well as Sections 135 and 142 of the Maharashtra Police Act. First Information Report (“FIR”, for short) was lodged on 3rd June, 2019, by the injured Shubham Gaikwad. Complainant was arrested on 7th June, 2019. Case of the complainant is that one Nagesh Jadhav, resident of the same locality was creating trouble in the area under influence of liquor. The informant tried to give understanding to him and

told not to annoy members of public. Nagesh threatened the complainant and left the place. On the same day at about 8:30 p.m., while the informant was standing in front of his house, 3 to 4 persons came there. They were armed with chopper, sword, base ball bats and hockey sticks in their and they assaulted the complainant. Co-accused Vijay Jadhav assaulted Nagesh on his head by iron rod. Sachin was assaulted on left hand by copper. Amol Gaikwad was assaulted by sword on head. Ram Jadhav was assaulted by sickle. Nikhil Gaikwad was assaulted with sword. Krishna Jadhav, Datta Jadhav and the applicant had also assaulted the injured. The role attributed to the applicant is that he had assaulted on the right thigh of the injured with iron rod. On completing investigation, charge-sheet is filed.

2 It is pointed out that about eight other accused were arrested during the course of investigation. All of them were granted bail by the Sessions Court. Their role is similar. The application of the applicant was, however, rejected primarily on the ground that there are criminal antecedents against him.

3 Learned APP submitted that there are eye witnesses to the incident. The applicant is involved in other cases. He is habitual offender. Except one case, which is registered with

Vijapur Police Station, all the offences including the present FIR were registered with Salgar Vasti Police Station, Solapur,. Applicant was externed for the period of two years. The applicant has committed crime during that period.

4 Undisputedly, the applicant has been acquitted in three cases and other cases are pending against him in which the applicant is on bail. The offences were registered against the applicant in the year 2014-15. Thereafter, the offence under Sections 353 and 324 of IPC was registered in 2018. I have perused the injury certificate. The applicant was attributed role of assaulting by iron rod on thigh of the injured Shubham Gaikwad. The medical certificate of the injured refers to contusion on right thigh. The injured have also sustained other injuries, which are attributed to the co-accused, who are granted bail. The applicant is in custody from 7th June, 2019. On stringent conditions, bail can be granted to him.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Bail Application No.3029 of 2019, is allowed;

- (ii) Applicant is directed to be released on bail in connection with C.R.No.135 of 2019, registered with Salgar Vasti Police Station, Solapur, on his executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall furnish details about place of his residence after he is released on bail;
- (iv) Applicant shall regularly attend the trial Court proceedings, unless exempted by the Court;
- (v) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)