

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 1018 OF 2020

Ashish Maroti Karluke, Yavatmal

Vs.

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Shri V. D. Darne, Advocate for the applicant.
Shri I.J. Damle, A.P.P. for the respondent/State.

CORAM : PUSHPA V. GANEDIWALA, J.

DATED : DECEMBER 01, 2020.

Heard.

2. The applicant is said to be arrested on 04/07/2020 in connection with Crime No. 224/2020 dated 04/07/2020 registered at Police Station Kalamb, District Yavatmal for the offence punishable under Sections 307, 504 and 506 read with Section 34 of the Indian Penal Code, 1860.

3. The case of the prosecution is that on 03/07/2020, there was a hot exchange of words between the father of the applicant namely Maroti and the injured Datta @ Abhilash. During that dispute, the applicant assaulted the injured Datta by means of an 'Axe' on his head as a result of which, he sustained injury.

4. I have perused the application and the reply affidavit with the assistance of learned counsel appearing for the parties.

5. At the outset, undisputedly, the injured Datta is already discharged from the Government Hospital, after taking treatment of about seven days. Also, there was only one injury caused by 'Axe' and that the incident is the outcome of hot altercation between the father of the applicant and the injured Datta.

6. Considering the nature of offence and the circumstances wherein it was committed, so also looking to the age of the present applicant i.e. 21 years coupled with the fact that the co-accused i.e. the father of the applicant has already been released on bail and that there is no criminal antecedent available against the present applicant, this Court is of the opinion that by imposing suitable conditions, he can be released on bail. Hence, the following order :-

ORDER.

- i. The Criminal Application is allowed.
- ii. The applicant be released on bail on his furnishing PR bond in the sum of Rs.20,000/- (rupees twenty thousand) with one solvent surety in the like amount.
- iii. The applicant shall not enter the vicinity of the area where the witnesses reside.

iv. The applicant shall not tamper with the prosecution evidence.

v. The applicant to attend the concerned police station on every first Thursday of each month between noon to 2.00 pm.

7. The Criminal Application is disposed of accordingly.

8. The aforesaid observations is only for granting bail to the applicant and it shall not come in the way of the trial Court during trial.

JUDGE

Sumit