

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 725 OF 2021

Santosh S/o Rustum Jumbade

Applicant

Versus

The State of Maharashtra

Respondent

Mr. S.K. Chavan, Advocate for the applicant.

Mr. S.P. Sonpawale, APP for respondent/State.

CORAM : M.G. SEWLIKAR, J.

DATE : 8th September, 2021.

PER COURT :

1. Heard.

2. Shri Chavan, learned counsel for the applicant submitted that the injured and his family members were armed with sticks and they had been to the residence of the applicant. Applicant delivered only one blow of iron rod. The circumstances in which the incident occurred unmistakably shows that the incident had occurred on the spur of the moment. Applicant had no intention to cause grievous injury to the injured. However, in the heat of moment, the incident has occurred. Applicant is a young boy of 31 years. He is behind

the bars since the date of the incident. He further submitted that if applicant is released on bail, he will not enter the village till conclusion of the trial.

3. Learned APP Shri Sonpawale invited attention of this Court to the report of Medical Officer. The report states that the injury was life threatening. It could have been fatal. It is a deep injury which has caused blood clotting in the brain. Skull is damaged and the injury has affected the memory of the injured.

4. The injured has been discharged from the hospital. From the report of the Medical Officer, it is clear that the injured has suffered partial memory loss. The skull has been damaged to pieces. Having regard to the opinion of the Medical Officer, I am not inclined to release the applicant on bail. Hence, the application is rejected.

(M. G. SEWLIKAR)
Judge

dyb