

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

901 BAIL APPLICATION NO.737 OF 2021

1. Raju @ Sachin Ramrao Khillare
Age: 26 years, Occu.: Agriculture,

2. Sandesh s/o. Munjaji Khillare
Age: 20 years, Occu.: Agriculture,

Both R/o.Gadadgavhan,
Tq.Jintur, Dist.Parbhani.

..Applicants

VERSUS

. State of Maharashtra
Through Police Station Officer,
Jintur Police Station,
Tq.Jintur, Dist.Parbhani.

..Respondent

Advocate for Applicants : Shri J.V.Deshpande h/f.
Shri Balasaheb N.Magar-Patil
APP for Respondent-State : Shri S.P.Sonpawale

CORAM : M.G.SEWLIKAR, J.

DATE: 24th August, 2021

PER COURT:-

1. This is application under Section 439 of the Code of Criminal Procedure for releasing the applicants on bail.

2. Allegations against the applicants are that applicant No.1 Sachin Khillare aimed a blow on the head of the informant Vilas Khillare, but it landed on right temporal region. Applicant No.1 also delivered a blow of iron rod on the left forearm of the father

of the informant. Applicant No.2 delivered a blow of knife on left cheek of the informant. Informant sustained grievous injury. He was shifted to the Government Hospital, Jintur. From there, he was shifted to the Civil Hospital, Parbhani. Since his health got deteriorated, he was shifted to the Civil Hospital, Nanded. He was discharged on 13th May, 2021 and the incident took place on 11th May, 2021.

3. Shri J.V.Deshpande, learned counsel holding for Shri B.N.Magar-Patil, learned counsel for the applicants submits that all the accused except these two accused have been released on bail. He submits that their role is similar to these applicants. He further submits that investigation is almost complete except formality of filing the charge-sheet.

4. Shri S.P.Sonpawale, learned APP for the respondent-State submits that offence is serious in nature. Charge-sheet is yet to be filed. Therefore, applicants may not be released on bail.

5. From the First Information Report, it can be made out that the informant was hospitalized only for two days. Weapons have been recovered. Investigation is almost complete. Formality of presenting the charge-sheet is only left. There are no criminal

antecedents against the applicants. It is not the case of the prosecution that the applicants will not be available for trial.

6. In this view of the matter, I am inclined to release the applicants on bail. In view of this, following order is passed:

ORDER

- i) Application is allowed.
- ii) Each of the applicants be released on P.R.Bond of Rs.15,000/- with one solvent surety in the like amount, in connection with Crime No.120 of 2021 registered with Jintur Police Station, District Parbhani under Sections 307, 326, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, and on condition that they shall remain present in the Police Station as and when called by the Investigating Officer.
- iii) Application is disposed of.

**(M.G.SEWLIKAR)
JUDGE**

SPT