

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

**968 BAIL APPLICATION NO.845 OF 2021
WITH APPLN/1832/2021**

**ISHWARDAS PARSRAM DHAWALE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Bhosle Santosh C.
APP for Respondents/State : Mr. S.D. Ghayal
Advocate for Complainant : Mr. Boinwad Omgashad B.

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**CORAM : M.G. SEWLIKAR, J.
DATE : 21st August, 2021**

PC.:-

Heard learned counsel for the applicant Shri Bhosle, Shri S.P. Sonpawale learned APP for the State and Shri Boinwad learned counsel for the original complainant.

2. This is an application under Section 439 of the Cr.PC. for releasing the applicant on bail in connection with Crime No. 224 of 2021 registered with Bhokar Police Station, District Nanded under Section 307, 324, 447, 506 read with Section 34 of the I.P.C.

3. Prosecution case is that on account of land dispute applicant delivered a blow of spade on the head of the informant. Another accused

Vitthal Dhawale delivered a blow of iron rod. The informant sustained grievous injuries. He was shifted to Government Hospital, Vishnupuri, Nanded.

4. Medical certificate is produced for perusal. It shows that injured/ informant had ribs fracture and CLW on occipital region with multiple contusions. Learned APP Shri Sonpawale states that injured has been discharged from the hospital. Discharge card shows that he is fit to resume duties. This discharge card has been issued by Dr. Chavan, Government Medical College and Hospital, Vishnupuri, Nanded. Private hospital certificate i.e. Dharmale Hospital also shows that the informant has been discharged from the hospital. Therefore, there is no possibility of conversion of offence into a serious one. Charge-sheet is yet to be filed. Weapons are recovered from the applicant. Entire investigation seems to have been completed. In this view of the matter, I deem it appropriate to release the applicant on bail on certain conditions. Hence the following order is passed:

ORDER

- I) Application is allowed.
- II) Applicant be released on PR bond of Rs.50,000/- with one solvent surety in the like amount, in connection with Crime No.224 of 2021 under Section 307, 324, 447, 506 read with Section 34 of

the I.P.C. registered with Bhokar Police Station, District Nanded on condition that he shall not tamper the prosecution evidence, shall not interfere in the investigation and shall not enter the village till the framing of charge.

III) Application for assist to PP is also disposed of.

[M.G. SEWLIKAR, J.]