

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

945 BAIL APPLICATION NO.1092 OF 2021

1. Khalil Suleman Pathan
Age: 45 years, Occu.: Business,
R/o.Chittegaon,
Tq.Paithan, Dist.Aurangabad.
2. Kadir Suleman Pathan
Age: 42 years, Occu.: Business,
R/o.Chittegaon,
Tq.Paithan, Dist.Aurangabad. ..Applicants

VERSUS

- . The State of Maharashtra
(At the instance of Bidkin
Police Station) ..Respondent

...
Advocate for Applicants : Shri Abhaysinh K. Bhosle
APP for Respondent : Shri S.W.Munde

...
CORAM : M.G.SEWLIKAR, J.

DATE: 29th October, 2021

PER COURT :-

1. This is an application under Section 439 of the Code of Criminal Procedure for releasing the applicants on bail in connection with Crime No.275 of 2021, registered with Bidkin Police Station, Dist.Aurangabad, under Sections 307, 327, 324, 143, 147, 148, 506 of the Indian Penal Code.
2. It is the case of the prosecution that on 6th August, 2021,

informant was assaulted by the applicants by means of stick, pipe, axe and iron rod. Applicant No.2 is alleged to have assaulted the informant by means of an axe. Applicant No.1 is alleged to have thrown chili powder in the eyes of the informant. On these allegations, First Information Report (FIR) came to be registered under the aforesaid Sections.

3. Heard Shri A.K.Bhosle, learned counsel for the applicants and Shri S.W.Munde, learned APP for the respondent-State.

4. Shri Bhosle, learned counsel for the applicants submits that applicants have filed counter complaint against the informant and other accused. On the basis of that FIR for the offence punishable under Sections 307, 427 read with Section 34 of the Indian Penal Code came be registered.

5. Shri Munde, learned APP for the respondent-State has produced medical papers i.e. injury certificate. It shows that informant sustained simple injuries. In this view of the matter, further detention of the applicants is not needed. In view of this, I am inclined to release the applicants on bail. Hence, the order:

ORDER

- i) Bail Application is allowed.
- ii) Each of the Applicants be released on P.R.Bond of Rs.25,000/- (Rs. Twenty-five thousand only) with one solvent surety in the like amount, in connection with Crime No.275 of 2021, registered with Bidkin Police Station, Dist.Aurangabad, under Sections 307, 327, 324, 143, 147, 148, 506 of the Indian Penal Code and on condition that they shall not influence the witnesses, they shall not pressurize the witnesses and shall attend concerned Police Station on every Friday between 10:00 a.m. and 02:00 p.m. till filing of the charge-sheet.
- iii) Bail Application is disposed of.
- iv) It is clarified that the observations made in the above order are restricted to the decision of this application only and the trial Court shall not get influenced by the same and can come to its independent conclusion during trial.

(M.G.SEWLIKAR)
JUDGE