

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

935 BAIL APPLICATION NO.1195 OF 2021

- 1) Balbirsingh s/o Laxmansingh Bawri
Age: 26 years, Occu.: Labourer,
R/o. Indiranagar Behind Urdu
High School Islampura, Sanjaynagar,
Tq. and District Latur.
- 2) Arjunsingh s/o Laxmansingh Bawri
Age: 22 years, Occu.: Labourer
R/o. Indiranagar Behind Urdu
High School Islampura, Sanjaynagar,
Tq. and District Latur. ..Applicants

VERSUS

- 1) State of Maharashtra
Through Vivekanand Chowk
Police Station, Parbhani. ..Respondent

...
Advocate for Applicants : Shri M.B.Sandanshiv h/f.
Shri Bhagwan Vithal Shirwadkar
APP for Respondent : Shri S.W.Munde
...

CORAM : M.G.SEWLIKAR, J.

DATE: 16th November, 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.342 of 2021, registered with Vivekanand Chowk Police Station, Dist.Latur, under Sections 307, 323, 326, 324, 504, 506, 34 of the Indian Penal Code and under

Sections 4, 25 of the Indian Arms Act.

2. It is alleged that the informant Tukaram Daulatrao Jadhav's son by the name of Deepak was assaulted by applicant Nos.1 and 2 and by accused Karunsing Bavari. Accused Karunsing Bavari stabbed informant's son Deepak in the abdomen and also assaulted on the neck of the said Deepak. Applicant Nos.1 and 2 are alleged to have assaulted Deepak by means of stone. On these allegations FIR came to be lodged on the basis of which crime under the aforesaid Sections came to be registered.

3. It is not in dispute that charge-sheet has been filed. Injured has been discharged from the hospital. Nothing is placed on record to show that there is possibility of conversion of offence into a more serious one. Moreover, none of the applicants is alleged to have assaulted the injured by means of a knife. There are no criminal antecedents against the applicants. They are not likely to flee from justice. In this view of the matter, following order is passed:

ORDER

- i) Bail Application is allowed.

ii) Each of the Applicants be released on P.R.Bond of Rs.20,000/- (Rs.Twenty thousand only) with one solvent surety in the like amount, in connection with Crime No.342 of 2021, registered with Vivekanand Chowk Police Station, District Latur, under Sections 307,323, 326, 324, 504, 506, 34 of the Indian Penal Code, and under Sections 4, 25 of the Indian Arms Act, and on condition that they shall not pressurize the witnesses and shall attend the dates fixed in the trial.

iii) Bail Application is disposed of.

(M.G.SEWLIKAR)
JUDGE

SPT