

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 793 OF 2020

Vishal Suresh Wagh

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Ms. Vilasini Balasubramaniam i/b Mr. Jaydeep Mane, for
the applicant.

Smt. J.S. Lohokare, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 18th FEBRUARY 2021**

P.C. :

1. The applicant is seeking his release on bail in connection with C.R. No.777/2019, registered at Mohol Police Station, District Solapur under sections 307, 323, 504, 506 of the Indian Penal Code. The applicant was arrested on 15/11/2021 and since then he is in custody. The investigation is over and the charge-sheet is filed.

2. The FIR is lodged by the injured herself on 11/11/2019. She has stated that her niece had got

married with the present applicant about two years prior to the incident. The informant's sister had passed away and therefore her daughter i.e. the informant's niece used to visit the informant's house. On that particular day of incident, she had come for festival of Diwali. At about 5.30 p.m., the applicant came to the informant's house and started to take her niece back to his house. He started abusing and beating the informant's niece. The first informant tried to intervene. The applicant got angry and started abusing and threatening the informant. He removed a knife and gave repeated blows on her abdomen and face. The neighbours came there and removed her for treatment at the hospital. On this basis the FIR is lodged.

3. Heard learned Counsel for the applicant and learned APP for the State.

4. Learned Counsel for the applicant submitted that the applicant had not come to the house of the

informant to cause her any injury. He had no intention of committing this offence. It was submitted that the applicant is in custody since 15/11/2019 and the trial is not likely to commence, therefore, the applicant deserved to be released on bail.

5. Learned APP opposed this application. She submitted that the injuries are quite serious and the applicant is likely to repeat the same offence against the informant and her niece.

6. I have considered these submissions. There is direct evidence of the injured herself. The first informant has suffered four injuries as mentioned in the certificate issued by the City Hospital, Solapur. She had suffered two stab injuries on her abdomen. The first injury was of the dimension of 5cm x 3cm x 3cm and other were 3cm x 2 cm x 3 cm. Those injuries were quite big and serious. Therefore offence of attempt to commit murder is clearly made out. Apart from that, the manner in which and the

circumstances in which the offence had taken place strongly indicate the nature of the present applicant. Therefore, I do not find any propriety in granting bail to the applicant. There is potential threat to the informant from the applicant. In this view of the matter, no case for grant of bail is made out.

7. The application is rejected.

(SARANG V. KOTWAL, J.)