

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.498 OF 2021

Aniket Gajanan Farake

Vs.

State of Maharashtra through Police Station Officer, Yavatmal City Tq. and Dist. Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S. B. Gandhe, Advocate for applicant

Shri A. M. Deshpande, APP for non-applicant/State

CORAM : VINAY JOSHI J.

DATED : 22/06/2021

Hearing was conducted through Video
Conferencing.

2. The applicant is arrested by the Police in connection with Crime No.218 of 2021 registered by Yavatmal City Police Station, Tq and Dist Yavatmal relating the offences punishable under Sections 307, 323, 324, 504 and 506 read with Section 34 of the Indian Penal code.

3. The bail is claimed by contending that the applicant has been falsely implicated in the case. It is argued that as per police papers the incident has occurred as of sudden and the nature of injuries is

simple in nature. It is submitted that the injured is discharged and investigation is practically complete. Moreover, other two accused are released on bail.

4. The State has resisted bail by filing reply. It is submitted that the applicant has assaulted injured by means of a knife and having regard to the gravity of offence bail is prayed to be rejected.

5. It is the prosecution case that on 24.03.2021 the injured was called by applicant and two other co-accused persons at some place, where they were waiting for injured along with three girls. At said place sudden quarrel took place in which co-accused manhandled injured, whilst applicant inflicted knife blows at the head of injured. The injury certificate discloses that there were two injuries at parietal region and the type of injury was simple. The third injury, though grievous was at left hand of the injured. There is substance in the submission that in the quarrel the incident has suddenly occurred. The injured is discharged after treatment. The applicant is arrested on 25.03.2021 meaning thereby the

period of 90 days is about to complete, hence the investigation is presumed to be practically complete. The trial will take considerable time for disposal according to law. Having regard to these facts, the applicant has made out a case for grant of bail.

6. In view of above the following order is passed.

1. Criminal application is allowed and disposed of.
2. The applicant/accused Aniket Gajanan Farake is released on bail in connection with Crime No.218/2021 registered with Police Station Yavatmal City, Tq. and Dist. Yavatmal, for the offences punishable under Sections 307, 323, 324, 504 and 506 read with Section 34 of the Indian Penal code, on his furnishing P.R. Bond of Rs. 25,000/- with one or two sureties in the like amount.
3. The applicant /accused shall not directly or indirectly make any inducement, threat or promise to

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any person acquainted with the facts of the case, as also shall not tamper with the evidence.

JUDGE

Sarkate