

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

CRIMINAL APPLICATION(BA) NO.578 OF 2021

Mukesh s/o Shrikrushna Mate

..vs..

State of Maharashtra

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

Court's or Judge's orders

Shri N.D. Jawade, Advocate for Applicant.

Shri A.M. Deshpande, A.P.P. for Non-applicant.

CORAM : VINAY JOSHI, J.

DATED : 30/06/2021

Hearing was conducted through Video Conferencing.

2. By this application, the applicant is seeking bail in Crime No.220 of 2021 registered with Hingna Police Station, District Nagpur for the offence punishable under Sections 325, 326 read with Section 34 of the Indian Penal Code. It is the prosecution case that, in domestic quarrel, the applicant has assaulted his younger brother by means of iron rod causing him head injury. On the date of occurrence itself, the injured lodged report. I have perused the medical certificate, which speaks about the head injury. The injured was discharged. The applicant came to be arrested on 13.05.2021 and after facing custodial investigation, he was in jail.

3. It reveals from reply-affidavit that,

investigation is practically complete. The offence is triable by the Magistrate. The prosecution contended that the applicant is history sheeter against whom several offences have been registered and therefore, it is not safe to release him on bail.

4. I have gone through the chart of previous offences which are ranging from the year 2012 onwards and it appears that applicant has committing offences of variety in nature. Injured is discharged and investigation is practically completed, hence he can be released on certain conditions. Certainly, previous offences would weigh while releasing him on bail. An endeavour is to desist the applicant from committing similar type of offence. In view of that, following order is passed :

- (a) The Criminal Application stands allowed and disposed of.
- (b) The applicant/accused Mukesh s/o Shrikrushna Mate be released on bail in connection with the Crime No.220 of 2021 registered at Hinga Police Station, District Nagpur for the offence punishable under Sections 325, 326 read with 34 of the Indian Penal code, on his furnishing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

- (c) The applicant shall not enter into the entire Nagpur district till framing of charges, except for attending the Court hearing.
- (d) The applicant shall provide his residential address and cell number, where he intend to reside.
- (e) The Applicant shall not tamper with the prosecution evidence in any manner.
- (f) Breach of either of the condition would give rise to the prosecution to move this Court for cancellation of bail.

JUDGE

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