

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

CRIMINAL APPLICATION (BA) NO.857 OF 2021

(Gopichand s/o Dayaram Shahu Vs. The State of Maharashtra thr. PSO PS Lakadganj,
Nagpur)

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

Court's or Judge's orders.

Mr. R. S. Renu, Advocate for Applicant.
Mr. N. S. Rao, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.
DATE: 6th SEPTEMBER, 2021.

The applicant is in custody since 04.09.2020 in connection with Crime 557/2020 registered with Police Station Lakadganj, Nagpur for offences punishable under sections 307 and 326 of the Indian Penal Code.

2. The case of the prosecution is that the applicant and Arun Jumde were engaged in conversation at Chaudhari Transport. The applicant and Arun were both, at the relevant time, earning livelihood by driving self-owned truck. There was an altercation between the two since the applicant called Arun 'Bewada' (broadly translated drunkard). It is alleged that the applicant and Arun started hurling abuses on each other and the applicant went inside the office of Chaudhari Transport and picked up a hollow iron pipe and assaulted Arun on the head. Sachin, who is Arun's son attempted to intervene only to be assaulted by

the applicant, on the hand.

3. The investigation is complete and the charge-sheet is filed. Unfortunately, injured Arun has not recovered as yet. However, the assault was not premeditated and it appears that a solitary blow was struck, although on a vital part.

4. Considering that the applicant has no criminal antecedents, he has a family to support, that he is not likely to be a flight risk, I am inclined to grant bail, since further incarceration would only be a pre-trial punishment.

5. The applicant shall be released on furnishing P.R. bond of Rs.16,000/- with a surety of like amount.

6. The applicant shall not make any attempt to influence the witnesses, directly or indirectly.

7. The applicant shall not leave the country without the permission of the trial Court.

JUDGE