

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

CRIMINAL APPLICATION (BA) NO. 882 OF 2021

(Gajanan Rajaram Rathod ..vs.. State of Maharashtra through PSO, PS Digras, Yavatmal)

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

Court's or Judge's orders

Mr. Mir Nagman Ali, Counsel for the applicant,
Mr. N. Rao, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 01-09-2021

The applicant is seeking bail in connection with Crime 194/2021 registered with Digras Police Station, District Yavatmal for offences punishable under Sections 302, 504 and 506 read with Section 34 of the Indian Penal Code.

2. The prosecution case is that the applicant and the co-accused, which includes the minor son of the applicant, had an altercation with the deceased. The accused perceived that the deceased is habituated to abuse them on telephone.

3. The statements of the two eyewitnesses are to the effect that co-accused Yogesh struck a blow with iron rod, which the deceased evaded and later the applicant dealt a blow on the head with a wooden rafter/piece used in centering work.

4. A solitary blow is struck and the genesis of the

altercation is not very clear. The co-accused are already released on bail since the investigation is complete and the charge-sheet is filed.

5. The learned Counsel Mr. Mir Nagman Ali for the applicant states that the applicant shall not enter village Naigaon since the witnesses and the victim hail from the said village. The statement is accepted.

6. Considering that there are no criminal antecedents, that there is no possibility of the applicant being unavailable to face the trial and the undertaking to reside outside Naigaon, I do not see any impediment in granting bail to the applicant.

7. The application is allowed.

8. The applicant shall be released on bail on executing personal bond of Rs.25,000/- with a solvent surety of like amount.

9. The applicant shall not enter the territorial limits of village Naigaon till the conclusion of the trial.

10. The applicant shall not make any attempt to tamper with the evidence or to influence witnesses, directly or indirectly.

11. The applicant shall attend each date of hearing scrupulously.

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

JUDGE

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