

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

920 BAIL APPLICATION NO.227 OF 2022

Kiran S/o Zumbar Karale
Age: 31 years, Occu.: Agri.,
R/o. Village Kapurwadi,
Taluka and Dist.Ahmednagar. ..Applicant

VERSUS

The State of Maharashtra
through Incharge Officer,
Police Station, Ahmednagar
Camp, Taluka and Dist.Ahmednagar. ..Respondent

...
Advocate for Applicant : Shri Sandip Ramnath Andhale
APP for Respondent : Shri R.D.Sanap

...
CORAM : M.G.SEWLIKAR, J.

DATE: 9th March, 2022

PER COURT :-

1. Heard.
2. It is alleged in the FIR that elder brother of the informant by the name of Mininath informed the informant that applicant was having a quarrel with Aditya, younger brother of the informant. Therefore, informant was returning to the house on Motorcycle. Applicant was also on the Motorcycle. When informant and applicant came face to face, applicant delivered a blow by a hard and blunt substance on the head of the informant. Informant sustained injury. On these allegations, FIR

came to be lodged on the basis of which Crime No.015 of 2022 came to be registered with Ahmednagar Camp Police Station, District Ahmednagar, under Sections 326, 307 of the Indian Penal Code.

3. Shri S.R.Andhale, learned counsel for the applicant submits that during the incident applicant also sustained grievous injury. He had sustained fracture injury on nasal bone. He submits that informant is discharged from the hospital and no further complications are reported.

4. Shri R.D.Sanap, learned APP for the respondent-State submits that injury is serious in nature. Therefore, applicant does not deserve to be released on bail. He submits that applicant has been convicted of the offence under Section 323 of the Indian Penal Code and sentenced to suffer simple imprisonment till rising of the Court.

5. Charge-sheet is filed. It appears that informant had sustained grievous injury on head. Applicant had also sustained fracture of nasal bone. Learned APP has produced the statement recorded by the Investigating Officer indicating therein that the informant had taken treatment in Sai Asian Hospital, Ahmednagar and his general health condition is good. It appears

that there was a free fight between the applicant and the informant. Both the applicant and the informant sustained grievous injury.

6. Shri Andhale, learned counsel for the applicant submits that applicant is ready to stay out of the District, if he is released on bail.

7. In view of this, following order is passed :-

ORDER

- i) Bail Application is allowed.
- ii) Applicant be released on P.R.Bond of Rs.45,000/- (Rs. Forty-five thousand only) with one solvent surety in the like amount, in connection with Crime No.015 of 2022, registered with Ahmednagar Camp Police Station, District Ahmednagar, under Sections 326, 307 of the Indian Penal Code and on condition that he shall not enter District Ahmednagar, till the conclusion of the trial except the dates fixed during the trial.
- iii) Bail Application is disposed of.
- iv) It is clarified that the observations made in this order are restricted to the decision of this application only and the trial Court shall not get influenced by the same and can come to its independent conclusion during trial.

**(M.G.SEWLIKAR)
JUDGE**