

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

**936 BAIL APPLICATION NO.327 OF 2022
WITH APPLN/912/2022 IN BA/327/2022**

1. Kailas s/o Manohar Dawkar
2. Balwant s/o Kailas Dawkar

VERSUS

The State of Maharashtra

Shri. S. J. Salunke, Advocate for the applicants
Shri. S. B. Narwade, APP for the respondent/State
Shri. D. B. Pokale, Advocate for the informant

**CORAM : M. G. SEWLIKAR, J.
DATED : 15th March, 2022**

PER COURT :-

1. Heard.
2. Informant had sold bundle of pipes to applicant No. 1 for Rs.25,000/- on credit. Informant demanded Rs.25,000/- from the applicant No.1. But the applicant did not pay the said amount. On 28th October, 2021 informant demanded Rs.25,000/- from the applicant No.1. For paying that amount, applicant No.1 called the informant at Maouj Phata. Accordingly, informant went to Maouj Phata at 02.30 p.m. Informant demanded Rs.25,000/- from applicant No. 1. Thereupon applicant No. 1 assaulted the

informant on his head but because of agility of the informant, he evaded the said blow which landed on his eyebrow. Applicant No. 2 threw a sickle in the direction of the informant. Informant warded it off. On these allegations FIR came to be lodged against the applicants.

3. Charge is yet not filed. Learned counsel Shri. Salunke submits that injury on the person of the informant is simple in nature. He was not even admitted in the hospital. There is no other injury on the person of the informant.

4. Learned APP Shri. Narwade and learned counsel Shri. Pokale for the informant assisting APP submit that applicant Nos. 1 and 2 had assaulted the informant on head. There are eye witnesses to the incident. Considering the seriousness of the offence they may not be released on bail.

5. It appears that investigation is almost complete. Informant sustained simple injury on the eyebrow. There is nothing on record to show that he was hospitalized. Nothing has been brought on record to show that the general health

condition of the informant has been adversely affected.
Considering this, I am inclined to release the applicant on bail.
Hence the order.

ORDER

1. Application is allowed.
2. Each of the applicants be released on bail on their furnishing PR bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount in connection with CR No. 0226 of 2021 under Sections 307, 504 read with Section 34 of the Indian Penal Code registered with Pimpalner Police Station, District Beed, on condition that they shall not interfere in the investigation and shall remain present before the concerned Police Station on every Tuesday between 12.00 p.m. and 04.00 p.m. till the filing of the charge-sheet.
3. It is clarified that the observations made in the above 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.
4. Application is disposed of.
- . Pending application, if any, stands disposed of.

[M. G. SEWLIKAR, J.]

ssp