

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

BAIL APPLICATION NO.401 OF 2022

Akash s/o. Jaysing Kandere

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.R.G.Hange, Advocate for applicant

Mr.V.S.Badakh, APP for respondent

None present for intervenor

CORAM : R.G. AVACHAT, J.

DATE : JULY 25, 2022

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.403 of 2020 registered at Shivaji-Nagar Police Station, Dist. Beed.

2. Heard learned counsel appearing for the applicant and learned APP for the respondent. None present for intervenor.

3. Bail is sought mainly on the ground of parity and even the nature of injuries suffered by the informant at the instance of the applicant herein. As per the case of the informant, he was assaulted by the applicant and three others. The one, who assaulted the

informant on his shoulder with sword causing grievous injury, has been granted bail by this Court. The applicant herein has been attributed with the assault on the right leg of the informant with sword. The injury certificate indicates the informant to have suffered superficial injury to his right leg. As such, on the ground of parity and the role played by the applicant in the alleged assault, the application deserves to be allowed.

4. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.403 of 2020 registered at Shivaji-Nagar Police Station, Dist. Beed, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence in any manner.

[R.G. AVACHAT, J.]

KBP