

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

BAIL APPLICATION NO. 872 OF 2022

Vishwanath @ Sonu Diliprao Kadam

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. S.G. Ghongade, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 14th JULY, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 49 of 2022 registered with Hatta Police Station, Dist. Hingoli for the offences punishable under Sections 307 and 384 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The F.I.R. has been lodged by the victim himself. It is his case that on 09th February, 2022 at about 10.30 in the morning, he had been to

Jawala Bazar in search of labour work. That day he did not get any work. He was present at market yard premises. It was about 05.30 p.m. The applicant was there. He met the informant and asked for Rs.100/- for some alcohol. The informant told him to have no money to pay him. The applicant, thereupon got enraged. He manhandled the informant, fished out the knife and assaulted on his chest therewith. The informant fell on the road. He was rushed to the hospital.

4. Learned A.P.P. would submit that it is a bid on the life of the informant. A knife blow was given on the vital part of the body. The applicant appears to be alcoholic. For no reason the assault was made. He urged for rejection of the application considering seriousness of offence.

5. True, the F.I.R. has been lodged by the victim himself. The applicant has been named in the F.I.R. The applicant assaulted the informant with a knife. He gave two blows, one on the chest. The record indicates the informant/victim to have been discharged from the hospital. Investigation of the crime is over. Charge-sheet has been filed. The applicant is just nineteen years of age. These facts lead me to grant him bail.

6. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released, in connection with Crime No. 49 of 2022 registered with Hatta Police Station, Dist. Hingoli for the offences punishable under Sections 307 and 384 of the Indian Penal Code, 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.

(R.G. AVACHAT, J.)

SSD