

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

BAIL APPLICATION NO.988 OF 2022

Santosh s/o Baburao Banjewad

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. A.N. Sabnis, Advocate holding for
Mr. E.S. Murge, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 26th JULY, 2022.

PER COURT :

Heard learned counsel for the applicant. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.29/2022, registered at Himayatnagar Police Station, District Nanded for the offence punishable under Sections 307, 341 and 394 of the Indian Penal Code. The F.I.R. has been lodged by the victim himself on 20/2/2022 i.e. on the day on which the incident took place. It is alleged in the F.I.R. that, by little past 11.00 in the morning, the informant was on his way home for lunch. The applicant

intercepted him said, तू लय माजलास का? तुझ्याकडे जास्त पैसे आले का?. The applicant then fished out a knife and relieved the informant of his gold chain and cash amounting to Rs.3000/- to Rs.4500/-. The applicant is also alleged to have assaulted the informant on his neck with the knife.

2. The learned A.P.P. urged for rejection of the application in view of the nature of offence.

3. The investigation of the crime is over. The charge sheet has been filed. The applicant has been behind the bars for over five months. The informant was discharged from the hospital within two days. There are statements of the witnesses namely Naresh and Ramesh to indicate the informant to have not been robbed by the applicant herein. In view of the same, this Court is inclined to grant bail to the applicant. Hence the order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant be released on bail in connection with Crime No.29/2022, registered at Himayatnagar Police Station, District Nanded for the offence punishable under Sections 307, 341 and 394 of the Indian Penal Code on his 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)
JUDGE**

fmp/-