

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

BAIL APPLICATION NO.1214 OF 2022

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| 1. | Krishna s/o. Sundar Kale, | |
| 2. | Dajiba @ Pintu s/o. Shivram Pawar | ..Applicants |
| | Vs. | |
| | The State of Maharashtra | ..Respondent |

Mr.Saeed S. Shaikh, Advocate for applicants
Mr.R.B.Bagul, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : SEPTEMBER 05, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicants have been arrested in connection with Crime No.0288 of 2022 registered at Sailu Police Station, Dist. Parbhani.

2. Heard learned counsel appearing for the parties.
3. The First Information Report (FIR) has been lodged by the informant/victim on 03.07.2022. It has been alleged therein that the applicant and the co-accused had beaten up the informant. As a result, the informant suffered multiple injuries, some of which are grievous in nature.

4. Learned APP has brought to the notice of this Court the photographs of the injured to indicate the seriousness of the offence. He submitted that the injured/victim is taking treatment at home and as such, has not been recovered from the injuries suffered. According to learned APP, investigation is still underway. He, therefore, urged for rejection of the application.

5. The applicants herein are alleged to have had caught hold of the informant. The assault with iron rod has been attributed to the co-accused – Gorakh. Gorakh is not before this Court. The applicant – Dajiba @ Pintu allegedly beat up the injured with fists.

6. The applicants are behind the bars for little over one month. Considering the role played by them in the alleged offence and the reason behind the incident, this Court is inclined to grant them bail.

7. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0288 of 2022 registered at Sailu Police Station, Dist. Parbhani, on

executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount.

(iii) The applicants shall not tamper with the prosecution evidence.

(iv) Till next eight months, the applicants shall attend the concerned police station once a week i.e. on every Sunday by 12.00 noon.

[R.G. AVACHAT, J.]

KBP