

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

BAIL APPLICATION NO. 1295 OF 2022

1. Domda @ Damda Bonda Pawara
Age: 48 years, Occu.: Labour,
2. Bahadrya Bonda Pawara
Age: 63 years, Occu.: Labour,
3. Dilip @ Kulya Bonda Pawara
Age: 43 years, Occu.: Labour
4. Kusal @ Kushal Bahadrya Pawara
Age: 31 years, Occu.: Labour,
5. Rajendra Bahadrya Pawara
Age: 31 years, Occu.: Labour

All R/o Radikalam Baripada, Tq. Dhadgaon,
Dist. Nandurbar

..APPLICANTS

VERSUS

State of Maharashtra
Police Station, Dhadgaon,
Tq. Dhadgaon, Dist. Nandurbar

..RESPONDENT

....

Mr. R.B. Temak, Advocate for applicants
Mr. V.S. Badakh, A.P.P. for respondent - State

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**CORAM : R.G. AVACHAT, J.
DATE : 30th AUGUST, 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. 178 of 2022 registered with Dhadgaon Police Station, Dist. Nandurbar for the offences punishable under Sections 307, 143, 147, 148, 149, 427, 452, 504 and 506 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 one Kiranbai on the date of the incident itself i.e. 29th June, 2022. The applicants herein are the relations of the informant and her family members. There was a dispute over an agricultural land. The applicants and other co-accused had entered the house of the informant. The applicants were armed with deadly weapons viz. axe, sickles, etc. They assaulted the informant, her husband and father-in-law. The injury certificates of all the three victims are on record. The informant suffered simple injury. The injuries suffered by her father-in-law and husband are grievous in nature.

4. Learned A.P.P. urged for rejection of the application. According to him, the investigation is still underway.

5. The applicants have been in jail for little over two months. The injured/victims have been discharged from the hospital. It will necessarily

take time for commencement and conclusion of trial. In view of the same, the application deserves to be allowed. Hence I pass the following order :-

ORDER

- (I) The bail application is allowed.
- (II) The applicants be released on bail, in connection with Crime No. 178 of 2022 registered with Dhadgaon Police Station, Dist. Nandurbar for the offences punishable under Sections 307, 143, 147, 148, 149, 427, 452, 504 and 506 of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety in the like amount.
- (III) The applicants shall not enter village Radikalam Baripada, Tq. Dhadgaon, Dist. Nandurbar for next six months.
- (IV) The applicants shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD