

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

BAIL APPLICATION NO.1381 OF 2022

Vijay s/o Manohar Bagal

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. N.B. Jadhav, Advocate for applicant

Mr. A.V. Deshmukh, A.P.P. for respondent – State

.....

CORAM : R. G. AVACHAT, J.

DATE : 26th SEPTEMBER, 2022.

PER COURT :

Heard. 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.147/2022, registered at Bembli Police Station, Taluka and District Osmanabad for the offence punishable under Sections 113, 147, 148, 149, 307, 326, 341, 323, 504, 427 of the Indian Penal Code.

2. The F.I.R. has been lodged by the victim himself on 3/7/2022. It has been alleged in the F.I.R. that, the applicant and the co-accused had assaulted the informant on

2/7/2022 by 4.00 p.m. It appears to be a case of dispute over a land. There is counter F.I.R. as well. All the co-accused have been granted bail. The applicant is alleged to have assaulted the informant on his head with an axe. Admittedly, the victim has been discharged from the hospital. His injury certificate indicates him to have suffered simple injury. True, he suffered head injury. The same is stated to have been caused by hard and blunt object. The applicant allegedly wielded the axe.

3. Without going into the merits of the matter, suffice it to say that, all the co-accused except the applicant have been enlarged on bail. The injury caused by the applicant is simple in nature. The victim has been discharged from the hospital. There is a counter case as well. The applicant is in jail for about two months and 20 days. It appears that, the investigation is almost over. In the given facts and circumstances, I am inclined to grant the applicant bail. Hence the order :

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with

Crime No.147/2022, registered at Bembli Police Station, Taluka and District Osmanabad for the offence punishable under Sections 113, 147, 148, 149, 307, 326, 341, 323, 504, 427 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, J.)

fmp/-