

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

BAIL APPLICATION NO. 1395 OF 2022

Sunil Vitthal Shirsath

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

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

**CORAM : R.G. AVACHAT, J.
DATE : 03rd OCTOBER, 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. 598 of 2022 registered with Kotwali Police Station, Dist. Ahmednagar for the offences punishable under Sections 307, 326, 324 and 504 read with Section 34 of the Indian Penal Code, under Sections 37(1)(3) read with Section 135 of the Maharashtra Police Act and under Section 4/25 of the Arms Act.

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

3. The investigation is still underway. The applicant was not keeping well. He was, therefore, admitted to Sasun General Hospital, Pune. He has now been shifted back to Yerwada Central Jail, Pune. The applicant is alleged to have assaulted the informant on his head with a scissor. The injury certificate indicate the informant to have suffered simple injuries. The applicant is in jail for over two months. Considering the ill-health of the applicant, his detention in jail for over two months and nature of offence leads this Court to grant him bail. Considering the criminal antecedent of the applicant, care thereof can be taken so as to avoid repetition of similar offence by imposing condition of his weekly attendance in the concerned police station.

4. 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 on bail, in connection with Crime No. 598 of 2022 registered with Kotwali Police Station, Dist. Ahmednagar for the offences punishable under Sections 307, 326, 324 and 504 read with Section 34 of the Indian Penal Code, under Sections 37(1)(3) read with Section 135 of the Maharashtra Police Act and under Section 4/25 of the Arms Act, on executing PR. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The applicant shall mark his attendance in Kotwali Police Station, Dist. Ahmednagar once a week i.e. on every Sunday between 10:00 a.m. to 11:00 a.m. for next eight months.

(IV) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD