

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

BAIL APPLICATION NO.1486 OF 2022

Prem s/o Jitendra Shirsath

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. Chaitanya C. Deshpande, 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.0165/2021, registered at Dhule City Police Station for the offences punishable under Sections 307, 323 of the Indian Penal Code.

2. The learned A.P.P. has strong reservations to grant the applicant bail. According to him, the applicant committed another offence while he was granted bail in the present crime and, therefore, the bail granted to him came to be cancelled. According to him, the applicant has criminal antecedents as

well, particularly 9 crimes have been registered against him.

3. The applicant is 21 years of age. He was granted bail in the present crime. The bail granted to him came to be cancelled mainly on the ground that he committed offence punishable under Section 354 of the Indian Penal Code. It is informed that, the informant in that crime is the sister of the first informant in the present crime. That is sufficient to read between the lines as regards veracity of the allegations in that F.I.R.

4. On the last occasion, one girl had appeared before this Court. She submitted that, she is going to marry the present applicant and wants to live peaceful life. True, the applicant has criminal antecedents. He is reported to have been on bail in all those crimes. In the fact situation of the case, the Court is 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.0165/2021, registered at Dhule City Police Station for the offences punishable under Sections 307, 323 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) It is informed that the applicant would be staying at Shirdi. The applicant shall mark his appearance before the Shirdi City Police Station on every Sunday between 9.00 p.m. and 10.00 p.m. till conclusion of the trial.

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

(R. G. AVACHAT, J.)

fmp/-