

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

BAIL APPLICATION NO.1573 OF 2022

Satish s/o. Trimbak Bhosale

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.A.S.Shejwal, Advocate for applicant

Mr.R.B.Bagul, APP for respondent assisted by Mr.S.N.Patne, Advocate
for informant

CORAM : R.G. AVACHAT, J.

DATE : OCTOBER 06, 2022

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0407 of 2022 registered with Omerga Police Station, Dist.Osmanabad, for the offences punishable under Sections 307, 504 and 506 of Indian Penal Code.

2. Heard learned counsel appearing for the parties.

3. The informant is a practicing Advocate. He lodged the First Information Report (FIR) on 02.08.2022, alleging therein that the applicant armed with an iron rod, came to him in the Court premises and assaulted him therewith. The reason behind the assault is stated

to be the applicant to have taken that Crime No.0296 of 2022 registered with Omerga Police Station, Dist.Osmanabad, was lodged against him by the Circle Officer, only at the behest of the informant herein.

4. It is true that the applicant committed the offence in the Court premises. Learned APP and learned counsel for the informant have, therefore, reason to urge for rejection of the application.

5. The applicant is in jail for little over two months. The injury certificate of the informant – Advocate, indicates him to have suffered simple injuries. The applicant has no criminal antecedents, except Crime No.0296 of 2022 registered with Omerga Police Station, Dist.Osmanabad. In the circumstances, his pre-trial detention appears to be unwarranted.

6. In view of the above, the Court is inclined to grant the applicant bail. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0407 of 2022 registered with Omerga Police Station,

Dist.Osmanabad, for the offences punishable under Sections 307, 504 and 506 of Indian Penal Code, on executing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one surety in the like amount.

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

(iv) The applicant shall not enter Taluka Omerga, for next three months.

[R.G. AVACHAT, J.]

KBP