

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

BAIL APPLICATION NO.1583 OF 2022

Anil s/o Ashok Pardhe

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. Kumar Gaurav M. More, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 30th 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.558/2021, registered at Satara Police Station, Aurangabad for the offences punishable under Sections 307, 143, 147, 148, 149, 336, 427, 323, 504, 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

2. The First Information Report (F.I.R.) has been lodged by a hotelier on 25/12/2021. It is his case that, the applicant had been to his hotel namely "Hotel Ranwara" along with one Deepak Ragade by 6.00 p.m. on 24/12/2021. He

placed an order for 3 Kg. Biryani. By 8.00 p.m. the applicant took the parcel. It is also the case of the complainant that, he closed down the hotel for the day by 9.00 p.m. After a while, the applicant and co-accused climbed the gate of fencing of the hotel and came in. They asked the informant to provide them meal. The informant told him to first pay for the earlier meals taken away by him. Thereupon, some quarrel took place between the nephew of the informant and others. It has also been averred in the complaint that, the applicant fished out a knife and stabbed his nephew with it in his stomach and even on shoulder.

3. The learned A.P.P. would submit that, there is eye witness account. The injury certificate indicates the victim to have suffered grievous injury. According to him, it is not a case for grant of bail. He ultimately urged for rejection of the bail application.

4. It is true that, there is material to indicate the applicant's involvement in the crime in question. The victim has been discharged from the hospital after 8 days of the incident. The applicant is in jail since 25/12/2021. On investigation, the charge sheet has been filed. It will take time for commencement and conclusion of the trial. The

applicant has no criminal antecedents. In view of the same, 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.558/2021, registered at Satara Police Station, Aurangabad for the offences punishable under Sections 307, 143, 147, 148, 149, 336, 427, 323, 504, 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act 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 attend the concerned police station on Every Sunday between 9.00 p.m. and 10.00 p.m. for next eight months.
- (iv) The applicant shall not tamper with the prosecution evidence.

(R. G. AVACHAT, J.)

fmp/-