

(1)

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

**BAIL APPLICATION NO.1658 OF 2022
WITH APPLN/3457/2022 IN BA/1658/2022**

**PRAKASH NAGANNA KANMOD
VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Applicant : Mr. Deshpande Gaurav L
APP for Respondent/State : Ms. V.S. Choudhari

...

CORAM : S.G. MEHARE, J.

DATED : 19th OCTOBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State. Nobody appeared for the complainant though the application is filed.

2. The role attributed as per the FIR to the applicant is that he beat the injured; however, in a supplementary statement, the complainant improved his statement and alleged against the applicant that applicant hold him and other accused stabbed him. The applicant has a case that he is suffering from paralysis. Therefore, it was not possible for him to assault or hold the injured.

3. Perused the papers. Having regard to the role attributed to the applicant and the progress in the investigation, it would be inappropriate to keep him behind the bars. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Prakash Naganna Kanmod, be released on bail on executing P.B. and S.B. of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety in the like amount in connection with Crime No.302/2022, registered at Bhokar Police Station, District Nanded for the offences punishable under Sections 307, 324, 323 read with Section 34 of the Indian Penal Code on the condition that he shall not tamper with the prosecution evidence.
- (iii) Criminal Application No.3457 of 2022 is disposed of.

(S.G. MEHARE, J.)

Mujaheed//