

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

923 BAIL APPLICATION NO.1552 OF 2021

**SALMAN MUSHTAQ KHATIK
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Kulkarni Suniket Anil
APP for Respondents/State : Mr. G.O. Wattamwar
...

**CORAM : M.G. SEWLIKAR, J.
DATE : 20th January, 2022**

PC.:-

Heard.

2. Applicant and the informant are the cousins. On the date of the incident i.e. on 12th November, 2021 at 9.30 am, applicant started abusing the parents of the informant on account of removing bricks. Informant intervened which did not go down well with the applicant. Applicant stabbed the informant in the abdomen. On these allegations FIR came to be lodged under Section 307, 504 of the I.P.C. vide Crime No.998/2021 with Shahada Police Station, District Nandurbar.

3. Learned counsel Shri Kulkarni submitted that applicant and informant have arrived at amicable settlement and has filed affidavit to that

effect also. He submits that injury is not on the vital part of the body.

4. Learned APP opposed the application.

5. Charge-sheet is filed. On perusal of the investigation papers, it is seen that the injury was on loin i.e. between thorax and pelvis on the back. There was no injury on vital part. In this view of the matter, detention of the applicant behind the bars for an indefinite period is not warranted. No complication in the health of the informant is reported. He is not likely to flee from justice. Therefore, I am inclined to release the applicant on bail. Hence the following order is passed:

ORDER

- I) Application is allowed.
- II) Applicant be released on PR bond of Rs.25,000/- with one solvent surety in the like amount, in connection with Crime No.998 of 2021 under Section 307, 504 of the I.P.C. with Shahada Police Station, District Nandurbar on condition that he shall not tamper the prosecution evidence.
- III) These observations are made only for the disposal of this application and the learned trial Court shall not get influenced by these observations and can come to its independent conclusion during trial.