

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 128 OF 2022

Daulat Ambuji Shinde

..Applicant

V/s.

The State of Maharashtra

..Respondent

Ms. Rekha Musale for the Applicant.

Mrs. M.R. Tidke, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 1 MARCH 2022

P.C.

1. By this application, the Applicant (accused No.1) is seeking release on bail in Crime No. 272 of Police Station Wadner-Bhairav, District Nashik under Section 307, 324, 504 and 506 read with Section 34 of IPC.

2. The aforesaid offence was registered on the basis of the complaint lodged by Prabhakar Shinde. The incident is alleged to have happened on 24.11.2021 at about 9.00 a.m. at Shindevasti, Wadner Bhairav, Taluka Chandwad, District Nashik. It appears that the parties are closely related and there is a dispute as to the agricultural land in which there is a grape orchard. According to the informant Prabhakar Shinde, when he along

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with others had gone to his filed, the Applicants came there and assaulted them.

3. Insofar as the present Applicant is concerned, indeed the allegation is that he assaulted by an iron rod. However, the injury reports of two injured persons show that the injuries suffered are simple in nature. Initially, only an offence under Section 324, 504 and 506 read with Section 34 of IPC was registered and subsequently, the offence under Section 307 of IPC was added. There is a cross FIR by the applicant against the informant and others. The learned counsel for the Applicant has pointed out that all the recoveries have already been made. There are other accused in the crime out of which only present Applicant has been arrested. Three co-accused have been granted anticipatory bail.

4. Considering the over all circumstances, the following order is passed:

ORDER

i) The Applicant **Daulat Ambuji Shinde** be enlarged on bail on furnishing a PR bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The Applicant shall report to the concerned Police Station once in a month on the first Monday between 11.00 a.m.

to 1.00 p.m. till the conclusion of the investigation and shall co-operate with the Investigating Agency.

iii) The Applicant shall not directly or indirectly make any attempt to contact or tamper with the prosecution evidence/witnesses.

iv) Criminal bail application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)