

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.68 OF 2022

(JAY RAJU MUJMULE...VS.. STATE OF MAH. THR. PSO PS AWADHOOTWADI, YAVATMAL)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Y.K.Dhande, Advocate for Applicant.
Shri S.D.Sirpurkar, A.P.P. for Non-applicant /State.

CORAM : ANIL S. KILOR, J.
DATED : MARCH 28, 2022.

1. Heard.
2. The applicant is praying for grant of pre-arrest bail in Crime No. 935 of 2021, registered with Police Station, Awadhootwadi, Yavatmal for the offences punishable under Sections 307 and 294 read with Section 34 of the Indian Penal Code. The allegations are that the accused persons inflicted knife blows on the complainant and his uncle and thereupon the aforementioned crime was registered.
3. The learned counsel for the applicant submits that there are counter FIRs and in the alleged assault on the applicant he also suffered grievous injuries. It is submitted that as there was counter FIR, it can be seen that there was quarrel between both the groups. In the circumstances, he submits that the applicant may be released on pre-arrest bail.

4. On the other hand, Shri Sirpurkar, learned A.P.P. points out that from the injury report of the applicant that in the alleged assault the applicant sustained simple injuries, whereas the complainant and his uncle sustained grievous injuries.

5. He, therefore, submits that since the offence is serious this Court may not consider the prayer for grant of bail.

6. I have perused the police diary and also contents of both the FIRs.

7. The statements of witnesses show the involvement of the applicant in the alleged offence. Moreover, the injury report of the complainant and his uncle corroborates the prosecution story in this matter, whereas, in the counter FIR the injury report of the applicant shows that the injuries are simple.

8. Thus, in view of the fact that there is *prima-facie* incriminating material available on record against the applicant to show his involvement in the alleged offence, I am not inclined to grant pre-arrest bail to the applicant. Accordingly, I pass the following order:

The Criminal Application is **rejected**.

JUDGE

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