

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

Criminal Application (BA) No.606/2022

Deepak Ingale V State of Maharashtra thr PSO PS Patur, Akola

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.K. Wankhade, Advocate for applicant.
Shri Ashish Kadukar, APP for State.

CORAM : ANIL S. KILOR, J.
DATE : 01-07-2022

The applicant has approached to this Court by filing the present application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.0170/2022 dated 15-05-2022 registered with Police Station Patur, District Akola for the offences punishable under Sections 143, 147, 148, 149, 324, 341, 294, 427, 506 of the Indian Penal Code.

2. The learned Counsel for the applicant submits that he is in jail from last one month and he is the only earning member of the family. Therefore, he submits that as his further custody is not required he may be released on bail.

He further submits that the allegations are of general in nature and no specific role is attributed to the applicant.

3. Learned APP strongly opposes the application and

points out that this is a case wherein there was an unlawful assembly and all the other accused came on the spot of the incident on a call of the applicant. It is submitted that the offence is serious and if the applicant is released on bail there is every possibility that he may pressurize the prosecution witnesses and in that case there will be no fair trial or investigation.

4. I have perused the case diary and the contents of the First Information Report.

5. The injury report shows that there was dislocation of shoulder and one contusion. There was unlawful assembly and all the accused persons assaulted the complainant and the other injured persons with iron rod, sticks, fist and kicks. The investigation is going on and for the purpose of investigation the custody of the applicant is necessary.

6. Moreover, looking to the nature of the allegations and the material available in the case diary, there is every possibility that if the applicant is released on bail he may pressurize the prosecution witnesses. In that view of the matter, I am not inclined to grant bail. Hence, I pass the following order :

ORDER

Application is rejected.

(Anil S. Kilor, J.)