

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

Criminal Application (BA) No. 615 of 2022

Vishal S/o Sanjay Ingle and others

Versus

State of Maharashtra, through Police Station Officer, Police Station
Pimpalgaon Raja, Tal. Khamgaon, Dist. Buldhana

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V.Sirpurkar, Advocate for the applicant.

Shri T.A. Mirza, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 28th JUNE, 2022.

The applicants are seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 135 of 2022 dated 24th May, 2022 registered with Police Station Pimpalgaon Raja, Tal. Khamgaon, Dist. Buldhana for the offence punishable under Sections 326, 323, 143, 147, 149, 504 and 506 of Indian Penal Code.

2. Learned counsel for the applicants submits that applicants are in jail since 24th May, 2022 and looking to the allegations made in the First Information Report, further custody of the applicants is not

necessary. It is submitted that there was a dispute between the complainant and the applicants and out of the said dispute the applicants have been falsely implicated in the alleged offence. Accordingly, he prays for grant of bail.

3. Learned Additional Public Prosecutor strongly opposed the application and submits that the investigation is going on and as the Investigating Officer has collected the incriminating material against the applicants, he prays for rejection of the application.

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

5. *Prima facie*, it appears that there was a dispute between the complainant and the applicants on the ground of marriage of daughter of the complainant with the son of accused no.2. Considering the injury reports of the injured and the allegations made in the First Information Report, I am of the opinion that further custody of the applicants is not necessary. There are no criminal antecedents to the discredit of the applicants and even there is nothing to show that if the applicants are released on bail, they will pressurize the prosecution witnesses or tamper with the prosecution evidence or they will not be available for the trial.

6. In the circumstances, I am of the opinion that the applicants are entitled for grant of bail with some stringent conditions. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. It is directed that the applicants shall be released on bail in Crime No. 135 of 2022 registered with Police Station Pimpalgaon Raja, Tal. Khamgaon, Dist. Buldhana for the offence punishable under Sections 326, 323, 143, 147, 149, 504 & 506 of Indian Penal Code, on furnishing P.R.Bond of Rs.25,000/- each with a solvent surety in the like amount.
- iii. The applicants shall attend the concerned police station on 1st day and 16th day of every month between 10 am to 12 noon till the conclusion of the trial.
- iv. The applicants shall not enter the territorial jurisdiction of Village Ghanegaon, Tq. Khamgaon, Dist. Buldhana till filing of the chargesheet;
- v. The applicants shall not directly or indirectly make any inducement, threat or promise to

any person acquainted with the facts of the case, as also not tamper with the evidence;

vi. State is at liberty to apply for cancellation of bail in case the applicants commits similar offence.

[ANIL S. KILOR, J.]

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