

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

Criminal Application (BA) No. 712 of 2022

Keshav @ Keshya S/o Bapurao Gund

Versus

State of Maharashtra, through Police Station Officer, Hinganghat Police
Station, Dist. Wardha

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

Court's or Judge's Order

Shri A.K.Sorde, Advocate for the applicant.

Shri Nitin Rode, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 15th JULY, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 252 of 2022 registered with Police Station Hinganghat, Dist. Wardha for the offence punishable under Sections 307, 294, 506 read with Section 34 of Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 27th February, 2022 and as the investigation is over, his further custody is not necessary. He further submits that considering the definition of grievous injury given under Section 320 of

the Indian Penal Code, in this case Section 307 of Indian Penal Code will not attract. Accordingly, he prays for grant of bail.

3. Shri Rode, learned Additional Public Prosecutor strongly opposed the application and submits that the offence is serious and as the incriminating material is collected by the Investigating Officer during the investigation, he prays for rejection of the application.

4. I have perused the chargesheet, the First Information Report and the reply filed by the State.

5. Considering the injury report and the fact that the investigation is over and the chargesheet has been filed, I am of the opinion that further custody of the applicant is not required.

6. There are no criminal antecedents against the applicant. Furthermore, the applicant is in jail from last six months and there is no possibility that the trial will commence in near future.

7. Moreover, there is nothing to show that if the applicant is released on bail, he will pressurize the prosecution witnesses or tamper with the prosecution evidence, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

i. It is directed that the applicant shall be released on bail in Crime No. 252 of 2022 registered with Police Station Hinganghat, Dist. Wardha for the offence punishable under Sections 307, 294, 506 read with Section 34 of Indian Penal Code, on furnishing P.R.Bond of Rs.25,000/- with a solvent surety in the like amount.

ii. The applicant shall attend the concerned police station on 1st day of every month between 10 am to 12 noon till the culmination of the trial.

iii. The applicant 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;

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

[ANIL S. KILOR, J.]

SACHINDANAND
K NAIR

Digitally signed by
SACHINDANAND
K NAIR
Date: 2022.07.16
10:30:11 +0530