

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

CRIMINAL APPLICATION (BA) NO.1017 OF 2022

Dipak Januji Ingle .Vs. State of Maharashtra, through P.S.O., P.S. Patur, Tq. Patur,
Dist. Akola

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

Court's or Judge's Order

Shri A.R. Deshpande, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 07/09/2022

Heard.

2. The applicant is seeking bail in Crime No.170 of 2022, dated 15.05.2022, registered with Police Station Patur, District: Akola, for the offences punishable under Sections 143, 147, 148, 149, 324, 326, 341, 294, 427 and 506 of the Indian Penal Code.

2. Shri Deshpande, learned counsel for the applicant submits that looking at the injuries caused to the complainant, it is doubtful whether Section 326 of the Indian Penal Code will apply in this case, as injuries are blunt injuries or the simple injuries. He submits that out of nine accused persons who were chargesheeted, eight accused persons have already been released on bail and therefore, the applicant is entitled for grant of bail on the principle of parity.

3. It is submitted that after completion of investigation, the charge-sheet has been filed and as such, further custody of the applicant is not necessary.

4. On the other hand, Shri Sirpurkar, learned APP strongly opposes the present application and prays for rejection of the present application.

5. I have perused the charge-sheet and the application.

6. Considering the injuries mentioned in the Injury Report and further the fact that, out of nine accused persons who were chargesheeted, eight accused persons have already been released on bail, and one of the co-accused was granted pre-arrest bail, I am of the opinion that since the applicant is in jail from May, 2022 i.e. for about four months, his further custody is not required, in view of the fact that, the charge-sheet has already been filed, he is entitled for grant of bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No.170 of 2022, dated 15.05.2022, registered with Police Station Patur,

District: Akola, for the offences punishable under Sections 143, 147, 148, 149, 324, 326, 341, 294, 427 and 506 of the Indian Penal Code, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station as and when his presence is required.
- d) The State is at liberty to apply for cancellation of bail, if the applicant commits same offence.

The criminal application is **disposed of** accordingly.

[ANIL S. KILOR, J.]