

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**BAIL APPLICATION NO.200 OF 2023
WITH APPLN/690/2023 IN BA/200/2023**

**KALIM KHAN S/O AFSAR KHAN
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. N.S. Ghanekar
APP for Respondent No.1: Mr. S. P. Deshmukh
Advocate for the complainant : Mr. S.E. Shekade

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CORAM : S. G. MEHARE, J.

DATE : 23.02.2023

PER COURT :

1. Heard the learned counsel for the applicant, the learned A.P.P. for the respondent-State and the learned counsel for the complainant.

2. It has been alleged against the applicant that he assaulted the injured with sword stick on his chest and waist. The learned counsel for the applicant would submit that those injuries were superficial. The injured has filed an application through a lawyer and pray to release the applicant on bail.

3. The learned APP submits that people at their whims are

using the public machinery. They have unnecessarily wasted the valuable time of the police and putting loss to the State exchequer. For using such machinery, heavy cost may be imposed upon the injured.

4. I do agree with the submission of the learned A.P.P. but it is a State to look into such issues and frame rules for recovering the loss suffered to the State exchequer in such cases.

5. Be that as it may, the investigation has been completed. The applicant and injured appear to have settled the dispute. Nothing is recovered from the applicant. Hence, the following order :-

- i) The application is allowed.
 - ii) Applicant Kalim Khan S/o Afsar Khan be released on bail, on furnishing P.B. and S. B. of Rs. 50,000/- with one solvent surety of like amount in C.R. No. 344/2022, registered with Police Station Nanalpeth, District Parbhani, for the offence punishable under Sections 307 of the Indian Penal Code.
6. Criminal Application No. 690 of 2023 stands disposed of.

(S. G. MEHARE)
JUDGE