

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 4251 OF 2021

Dnyaneshwar @ Nana Amarnath Mahajan ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. R.C. Mishra alongwith Mr. Prabhakar Tripathi and Mr. Arun Gupta
instructed by Tripathi and Associates for the Applicant.

Mr. S.S. Hulke, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 12 JANUARY 2023

P.C. :-

. This is an application filed under Section 439 of the Code of
Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 597 of 2018
registered at Nashik Road Police Station, for the offences punishable under
Sections 302, 307, 326, 324, 504, 506 r/w. 34 of Indian Penal Code and
Section 135 of the Maharashtra Police Act.

3. I have heard the learned Counsel for the applicant and the
learned APP for the State and perused the FIR.

4. It appears that on the date of incident, which took place on 2 December 2018 at about 10:00 p.m. altercation took place between the deceased and accused on account of some trivial issue and during the said altercation the accused assaulted the deceased by iron rod.

5. Prima facie, the incident does not appear to be premeditated. The applicant is in jail for more than four years and is not involved in any other crime. Considering these facts, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Dnyaneshwar @ Nana Amarnath Mahajan be released on bail in Crime No. 597 of 2018 registered at Nashik Road Police Station, for the offences punishable under Sections 302, 307, 326, 324, 504, 506 r/w. 34 of Indian Penal Code and Section 135 of the Maharashtra Police Act, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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