

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1308 OF 2024

Mohammad Nazimoddin Mohammad Jalaloddin

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Sohail Subhedhar h/f Mr. N.S. Ghanekar

APP for Respondent/State : Mr. S.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 08, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.530 of 2023 registered with Nanalpeth Police Station, District Parbhani for the offence punishable under Sections 307 and 294 of the Indian Penal Code.
3. The applicant has been arraigned as an accused on the allegations of assault by knife. The injured has suffered the simple injury on jaw and stomach. It has been submitted that the injured is pursuing his routine and discharged from hospital long back. The alleged knife has been recovered from the spot of the incident. It is a sudden provocation that resulted in assault.
4. The learned APP has opposed the application contending that the offence is serious. The deadly weapon has been used in the crime. There is possibility of repeating the crime.

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5. Perused the papers. The case of sudden provocation may be considered at this juncture. The weapon is recovered. The injured is seen out of danger. The applicant is 29 years old boy having no antecedents to his discredit. In the circumstances, if the bail is granted on certain conditions, it would not harm the prosecution. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Mohammad Nazimoddin Mohammad Jalaloddin, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses and shall attend the trial on each and every date.
 - (b) The applicant shall not contact the injured till the trial is concluded.

(S.G. MEHARE, J.)