IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

91 BAIL APPLICATION NO. 1088 OF 2024

PARMESHWAR @ RAJU KESHAV DHUMAL
VERSUS
THE STATE OF MAHARASHTRA
...
Advocate for Applicant : Mr. Anerao Panditrao S.
APP for Respondent/State : Mr.R.B. Dhaware
...

AND
CRIMINAL APPLICATION NO. 2897 OF 2024
IN BA/1088/2024

MADHAV SAMBHAJI DHUMAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Advocate for Applicant : Mr. Jadhav Arvind Gangadhar
APP for Respondent/State : Mr.R.B. Dhaware
...

CORAM : **SHIVKUMAR DIGE, J.**
DATE : 29th July, 2024.

P.C.:

1. For the reasons stated in Criminal Application No.2897 of 2024, the application is allowed.

2. The applicant is seeking regular bail in connection with FIR No.11 of 2024 registered with Limbgaon Police Station, Tq. & Dist.Nanded, for the offences punishable under sections 307, 294, 506 read with 34 of the Indian Penal Code (For short, "IPC").

3. It is prosecution's case that on 21st January, 2024, when the informant was giving water in his field along with his family members, the applicant came there and abused the informant and his family

members. It is alleged that at around 6:00 p.m, when the informant was present along with his wife, daughter and son at his home at that time, the applicant and his mother came there. It is alleged that mother of the applicant and co-accused hold the hands of informant and the applicant gave four blows of big knife (Khanjir) on the back of the informant. Due to said assault, the informant got unconscious. Thereafter, he was admitted in the hospital.

4. It is contention of the learned counsel for the applicant that the applicant is behind bar more than six months. Investigation is completed. The charge-sheet has been filed. The weapon used in the crime is recovered. It will take time to conclude the trial, hence requested to allow the application.

5. It is contention of the learned APP along with the learned counsel for assist to P.P. that the applicant assaulted the informant with big knife with an intention to kill him. The injuries sustained by the informant were life threatening. If the applicant is released on bail, he may threaten the informant and prosecution witnesses, hence requested to reject the application.

6. I have heard all the learned counsel. Perused the F.I.R. and police papers produced on record.

7. The applicant is behind bar more than six months. Investigation is completed. The charge-sheet has been filed. Considering these aspects, further detention of the applicant is not required and I pass

the following order :-

ORDER

(i) The application is allowed.

(ii) The applicant in connection with FIR No.11 of 2024 registered with Limbgaon Police Station, Tq. & Dist.Nanded, for the offences punishable under sections 307, 294, 506 read with 34 of the Indian Penal Code be released on executing personal bond in the sum of Rs.25,000/- with one surety of the like amount, on the following conditions :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(b) the applicant shall not tamper the prosecution evidence and shall not pressurize the prosecution witnesses and informant.

[SHIVKUMAR DIGE, J.]

sga