

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4229 OF 2024

Namdev Balaso Bandgar

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Sanjeev Kadam i/b Mr.Amit Icham, Advocate for Applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

Mr. Shailesh Chavan with Mr. Nagesh Khedkar, Original Complainant.

Mr. N. B. Shitole, Bhigwan Police Station, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 18th DECEMBER, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 174 of 2024 registered with Bhigwan Police Station, Pune for the offences punishable under Sections 307, 325, 327, 342, 504 and 506 read with Section 34 of the Indian Penal Code, 1860 and Sections 39 and 45 of the Maharashtra Money Lending (Regulation) Act, 2014.

3) The learned Counsel for the applicant states that though the role of the co-accused is similar, the bail was granted to co-accused and the

applicant's bail was rejected. Therefore, he submits that the learned trial Court failed to consider the case of the applicant on the point of parity.

4) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, I find that the learned trial Court rightly rejected the application of the applicant. The allegations made against the applicant are serious and it is prima facie evident that the applicant is the main accused. After alleged assault the victim was hospitalised for seven days, which shows suffering of the victim because of assault.

5) In the circumstances, the argument made by the learned Counsel for the applicant that the applicant assaulted the victim by fist and blow only and did not use any weapon and therefore, the matter is not serious, cannot be accepted. The allegations against the applicant are of a serious nature.

6) In the circumstances, even if antecedents against the applicant are not consider, considering the nature of evidence available against the applicant in the present matter, I do not find the present matter as a fit case for grant of bail.

7) Accordingly, the application is rejected and disposed of.

[ANIL S. KILOR, J.]