



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

BAIL APPLICATION NO. 38 OF 2025

Balaji Pralhad Sawant

Age: 47 years, Occu.: Service,

R/o. Mata Residency, Plot No.204,

India Nagar, Latur, Tq. & Dist.Latur.

....Applicant

Versus

The State of Maharashtra

Through the Police Officer,

M.I.D.C., Police Station Latur,

Tq. & Dist.Latur.

.....Respondent

.....

Advocate for Applicant : Mr. P. P. More

APP for Respondent : Mr.S.B.Narwade

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 27 FEBRUARY, 2025

ORDER :

1. Applicant seeks grant of regular bail on account of his arrest in crime no.0510 of 2024 registered at M.I.D.C. Police Station, Latur, Dist.Latur, for offence under Sections 109(1), 117(1), 117(3), 351(3), 352, 352(3) of the Bharatiya Nyaya Sanhita.

2. Pointing to the date of arrest as 06-08-2024, learned counsel submitted that incident happened in rage of anger. That, there was no intention. That, allegations are that he hit wife by kitchen appliances on the head. That, there was quarrel because allegedly

wife refused to cook. That, applicant has a son. That, he is sole bread earner. That, it is outcome of domestic issues. That, chargesheet is already filed in October 2024. As nothing further is shown to be recovered or discovered at the instance of applicant, learned counsel prays for grant of bail as since over six months, applicant is behind bars.

3. Learned APP strongly opposed on the ground that applicant has assaulted wife on the head and she is still bed-ridden. Therefore, as there are serious allegations, bail application is opposed.

4. Heard. Perused the FIR dated 03-08-2024 lodged by son of applicant / informant alleging that on 01-08-2024, while he was in his college premises, he got information from his friend Mayur about he receiving a phone call from informant's father asking him to tell informant that his mother is sick and to take her to hospital and consequently, he and his friend both went to his house. There, he found his mother lying in injured condition and he claims to have asked her, upon which she reported him that his father hit her for not cooking and that he is doing it repeatedly and threatening to kill he hit her. Therefore, with the help of others, his mother was shifted in the hospital. On informant's report, above crime is registered against

his own father and consequently, applicant is shown to be arrested on 06-08-2024. Injury certificates are placed on record. Admittedly, injured has suffered grievous injury on head.

Now, investigation is over and chargesheet is filed in October, 2024 itself. Nothing further is shown to be recovered or discovered at the instance of applicant. There do no seem to be immediate prospects of matter going for trial. Considering the above facts, bail deserves to be granted by imposing stringent conditions. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Balaji S/o Pralhad Sawant be released on bail in connection with Crime no.0510 of 2024 registered with M.I.D.C. Latur Police Station, Dist.Latur on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall not enter into vicinity of India Nagar, Latur, till conclusion of trial.

(ABHAY S. WAGHWASE)
JUDGE