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

BAIL APPLICATION NO.56 OF 2025

Namdev Ganpati Gajbhare
Age: 33 years, Occu.: Labour,
R/o: At Post – Alegaon,
Tq. Purna & Dist. Parbhani.

... Applicant

Versus

The State of Maharashtra
Through Police Inspector
Limbgaon Police Station,
Tq. & Dist.-Nanded.

... Respondent

.....
Mr. Suvidh S. Kulkarni, Advocate for Applicant
Mr. P.K. Lakhotiya, APP for Respondent – State
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 11 FEBRUARY 2025

PRONOUNCED ON : 12 FEBRUARY 2025

PER COURT :-

1. Applicant seeks grant of regular on account of his arrest in Crime No.0065 of 2024 registered at Limbgaon Police Station, District Nanded for offence under Sections 341, 307, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code (IPC).

2. Learned counsel for the applicant pointed out that applicant is behind bars since 29.05.2024. That, FIR is of 24.05.2024. It is submitted that there are allegations that informant was assaulted

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by persons named in the FIR, and as regards The present applicant is concerned, there are allegations that he hit the injured by axe, but with the blunt side of the axe. That, injury certificate shows that informant suffered simple injury. That, recovery of axe is already effected by the investigation machinery. That, there is delayed FIR, That, there are false and after through allegations. That, applicant is behind the bars since more than seven months. Now, investigation is over, and charge-sheet is already filed, and as further no recovery or discovery is shown at the instance of applicant. Therefore, learned counsel seeks grant of bail on any condition deemed fit by this Court.

3. Learned APP opposed the bail application on the ground that applicant is named and his role is also crystallized. That, he used deadly weapon like axe. That, informant suffered eleven injuries and two amongst it are grievous. That, accusations being of attempt to murder, learned APP opposes grant of any relief.

4. Heard both the sides. Perused the papers. Informant Suryakant Uttamrao Gajbhare, a truck driver has reported that, on 08.05.2024, his vehicle was intercepted by Avinash Gajbhare and he was accompanied by Namdeo Gajbhare i.e. present applicant. Avinash was said to be with iron rod, whereas the present applicant was said to be armed with axe. The present applicant

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approached informant and questioned him for staring at his wife and further questioned him for visiting their house. When informant tried to flee, he was said to be given chase, and it is alleged that Avinash hit him with iron rod, present applicant hit by axe on the head and others hit him with sticks. Injury certificate placed on record shows that, informant had suffered eleven injuries. Going by the role attributed of assaulting by axe on the head though allegedly by blunt side, it seems that informant had suffered contused lacerated wound (CLW) on left parietal lobe of head, which is indeed a vital and delicate part. Therefore, role of the applicant is crystallized. He has apparently used article like axe. Consequently, though charge-sheet is filed, taking the nature of accusations into consideration, this court is not inclined to grant relief at this stage. Hence, the following order :

ORDER

The bail application stands rejected.

**ABHAY S. WAGHWASE,
JUDGE**