



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.69 OF 2025

Krushna Fattu Vasave,
Age : 52 years, Occu. : Labour,
R/o. Village Mehadipada, Tq. Navapur,
Dist. Nandurbar.

... Applicant
(Orig. Accused)

Versus

The State of Maharashtra,
(Police Inspector, Visarwadi
Police Station, Dist. Nandurbar)

... Respondent

.....
Mr. V. P. Raje, Advocate for Applicant
Mr. N. D. Batule, APP for Respondent – State
.....

CORAM : ABHAY S. WAGHWASE, J.
DATED : 12 FEBRUARY, 2025

ORDER :

1. Present application is for grant of regular bail on account of arrest of applicant in Crime No. 392 of 2024 registered at Visarwadi Police Station, Dist. Nandurbar for offence punishable under sections 118(2), 118(1), 115(2), 189(2), 191(2), 190, 353 and 351(2) of Bharatiya Nyaya Sanhita, 2023.

2. Learned counsel for applicant pointed out that, there is false implication. That, full name of applicant is not given. That, there are allegations of hitting by means of wooden stick. That, said stick is already recovered. That, applicant is behind bars since

more than 55 days. That, nothing further is shown to be recovered at his instance. Therefore, learned counsel questions his continued custody as according to him investigation is almost over. Hence, learned counsel prays for grant of regular bail.

3. Learned APP opposed on the ground that there is injured eye witness account. That, applicant has used stick. That, injured suffered fracture and caused grievous injury. Hence, according to learned APP, as investigation is still incomplete, he seeks rejection of the application.

4. Heard. Perused the papers. FIR dated 14.12.2024 at the instance of Pramilabai shows that, while work of construction of road was in progress, at that time, one Leelabai Gavit and her daughter Manjula questioned Pramilabai for raising the height of the road and abused her. It is alleged that, Manjula made telephone call after which shortly one Krushna and two unknown persons came there. After Leelabai and Manjula held informant, present applicant Krushna hit wooden stick on her right thigh causing fracture injury. Hence the above report.

5. For above occurrence, crime is registered and allegations are apparently about hitting stick on thigh and causing

fracture injury. Learned APP conceded that, stick is already recovered and medical papers are also placed on record showing blunt trauma and fracture.

6. Therefore, when nothing further is shown to be recovered or discovered at the instance of applicant, apprehension of misuse of liberty expressed by learned APP can be taken care of by imposing conditions. Hence, the following order is passed :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Krushna Fattu Vasave be released on bail in connection with Crime No.392 of 2024 registered with Visarwadi Police Station, Dist. Nandurbar on executing P.B. of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- (iv) Applicant shall not tamper prosecution evidence.
- (v) Applicant shall not enter in the vicinity of Shravani village, Tq. Navapur, Dist. Nandurbar till conclusion of the trial.

(ABHAY S. WAGHWASE, J.)