

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2105 OF 2014

Dhanraj Jalindar Badekar ...Applicant

versus

The State of Maharashtra ...Respondent

.....
Mr. A.L. Tikle, Advocate for the applicant
Mr. B.L. Dhas, APP for the respondent
.....

CORAM : V. K. JADHAV, J.
(VACATION COURT)

DATED: 30th MAY, 2014

P.C. :-

1. Heard learned counsel appearing for the applicant and the learned A.P.P. for the respondent State. Read the application. Perused the charge sheet.

2. Brief facts, giving rise to the present application, are as under:-

3. On the basis of complaint lodged by one Ganesh Munjabhau Tak on 5.1.2014, crime No. 7 of 2014 for the offences punishable under Sections 307, 506, 504, 34 of I.P.C. and 3, 25 of Arms Act came to be registered with Osmanabad (City) police station. It has alleged in the complaint that the complainant was proceeding towards bus stand

on foot at about 7.00 to 7.15 p.m. When he was proceeding in front of Janta Bank, one motor cycle came from his back side. There were three persons on the said motor cycle. The motor cycle came near the complainant. One of the motorcyclists assaulted the complainant by Sattur and the complainant has sustained injury behind his left ear. Even one pillion rider of said motor cycle also shown him pistol. Thereafter, those persons ran away from the spot. On the basis of these allegations, applicant came to be arrested on 6.1.2014. Thus, he has filed the present application for getting release on bail. His application for similar prayer, bearing criminal bail application No. 133 of 2014 came to be rejected by the learned Adhoc Additional Session Judge, Osmanabad by order dated 8.4.2014.

4. Even though the allegations have been made in the complaint that there were three persons on the motor cycle and one of them inflicted blow by Sattur behind the left ear of the complainant, during the course of investigation, the investigating agency has arrested in all seven accused persons, including the present applicant. Remaining six persons came to be released on bail by this court in criminal application No. 1166 of 2014. Investigation in the present crime is over and the charge sheet is filed. In view of this, there is no reason to keep the applicant behind bars. The applicant has fixed place of residence and there is no question of tampering with the prosecution

evidence in any manner. Hence following order:-

O R D E R

- I. Application is hereby allowed.
 - II. the applicant Dhanraj Jalindar Badekar be released on bail on his furnishing personal bond of Rs.20,000/- with one solvent surety of the like amount. Bail to be furnished before the trial court.
 - III. The applicant shall not tamper with the prosecution witnesses.
5. Application is disposed of.

(V. K. JADHAV, J.)
(VACATION COURT)

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