

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

**BAIL APPLICATION NO.2997 OF 2019**

Ishwar Avinash Ahire .. Applicant  
**VS.**  
State of Maharashtra .. Respondent

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Mr.Anant Vadgaonkar a/w. Mr.Sandip Kagade, Advocate for the  
Applicant.

Mrs.Geeta P. Mulekar, APP for the Respondent - State.

Mr.Saleem Hamid Shaikh, API, Chandwad Police Station, District-  
Nashik.

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**CORAM : PRAKASH D. NAIK, J.**

**DATED : NOVEMBER 29, 2019.**

**P.C. :**

The Applicant is seeking bail in connection with C.R.No.139 of 2019, registered with Chandwad Police Station, District-Nashik, for the offences punishable under Sections 326, 324, 323, 504 and 506 read with 34 of Indian Penal Code ("IPC", for short).

2 The Applicant was arrested on 16<sup>th</sup> September, 2019. First Information Report ("FIR", for short) was lodged on 16<sup>th</sup>

September, 2019. It is the case of the prosecution that the accused no.1 and two unknown persons have assaulted the complainant. It is alleged that the accused no.1 had assaulted by throwing the chair on the head of the injured. Apparently, he had received injuries to his head. The other unknown persons were instrumental in assaulting by fist blows.

3           Applicant had preferred an application for bail before the Sessions Court, which was rejected on the ground that the test identification parade is yet to be conducted. Learned APP, on instructions, submitted that subsequently, test identification parade has been conducted and the Applicant has not been identified in the parade. There are no criminal antecedents against the Applicant. In the circumstances, case for grant of bail is made out.

4           Hence, I pass the following order:

**:: O R D E R ::**

- (i)   Bail Application No.2997 of 2019, is allowed;
  
- (ii)   The Applicant is directed to be released on bail

in connection with C.R.No.139 of 2019, registered with Chandwad Police Station, District-Nashik, on his executing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;

(iii) Bail Application stands disposed of.

**(PRAKASH D. NAIK, J.)**