

Order below Exh.1 in Cri. Bail Application No. 16/2020
[CNRNo.MHPA040000572020] Kondbarao Dhale Vs. State

01- Applicant-accused under Section 439 of Code of Criminal Procedure in Crime No.1/2020, registered with Basamba Police Station for the offences punishable under Section 326,325, 324, 341 of Indian Penal Code requested to release him on bail. The applicant is arrested on 02.01.2020 and now he is in magistrate custody.

02- The allegations against the accused are that on 27.12.2019 about 7:30 p.m. he gave fist blows on the face of the informant Punjab Narsing Dhale, which resulted into breaking of two teeth of the informant and thereafter the accused again by means of stone caused grievous hurt on the head of the informant.

03- The applicant claimed that the Learned Magistrate has rejected his bail application, but now the informant is discharged from the hospital. He has been falsely implicated. Most of the investigation is completed. He is permanent resident of village Basamba, therefore, he is not likely to abscond.

04- Application is opposed by the investigating officer and APP on the ground that the offences are serious. If he is released on bail, he may pressurize the witnesses and may repeat similar offence.

05- I heard Advocate M.D.Aher for the applicant, APP S.S.Deshmukh for the prosecution. Perused Police papers.

06- The offences against the accused are under Section 326,

325, 324, 341 of Indian Penal Code are bailable. Almost investigation is completed. Informant is discharged from the hospital. The applicant is in jail since 02.01.2020. Therefore, in my view, it would be just and proper to release on bail with certain condition. Hence, I pass following order.

Order.

- 1- Criminal Bail Application No. 16/2020 is allowed.
- 2- Applicant-accused Kondba Narayan Dhale in crime No. 1/2020 registered with Basamba Police Station for the offences under Section 326, 325, 324, 341 of Indian Penal Code, be released on execution of P.R. bond of Rs. 25,000/- with one or more sureties of like amount.
- 3- The applicant is directed to remain present on every Monday between 11:00 a.m. to 2:00 p.m. before the investigating Officer of Basamba Police Station for a period of two months.
- 4- The applicant is directed not to contact, threat, pressurize any of the prosecution witnesses and in case of breach of said condition, his bail may be cancelled.

Date:16.01.2010

(N.B.Shinde)
Additional Sessions Judge
Hingoli.