

ORDER BELOW Exh.5 IN SESS.CASE NO.503/2024
(State of Maharashtra Vs.Laxman Arjun Mujmule)
(CNR No.MHSN170006872024)

1. Perused the application, say of IO Exh.7 & 9. Heard Ld.Counsel Shri P.M. Gavali and Ld.APP R.S. Jamadar on the point of bail to accused Laxman Arjun Mujmule involved in crime No.117/2024 under section 307, 504 of the Indian Penal code registered at Vita Police Station.

2. Informant Shubham lodged report with Vita Police Station stating that on 17.03.2024 at about 5.00 a.m. his father Laxman (the accused) was calling him loudly. The informant told him that he would wake up after some time. Mother of the informant namely; Sudhamati asked the accused as to why he was waking up the informant and he had got tired after working for the whole day. Then, the accused driven Sudhamati backward and also abused her. Then, he assaulted her with a knife on her left side of stomach. The informant caught the accused from back side. Then, the accused also caused injury to private part of the informant with the knife. As the informant and his mother were seriously injured, they were taken to Government hospital for treatment. They were shifted to Miraj Civil Hospital for further treatment.

3. The applicant sought bail on the grounds that he is falsely implicated in this offence. FIR is afterthought. No offence is committed. He is permanent resident of village

Bhalvani, Tal. Khanapur, Dist.Sangli. He would remain present for trial. He has no prior criminal record or antecedents. He is ready to abide by all conditions imposed by the Court. He prayed for bail.

4. Ld. Counsel Shri P. M. Gavali for the accused submitted that mother of the informant had sustained stab injury, but lacerated wound with hard and blunt object is mentioned in his medical certificate. Stab injury is shown to have sustained by the informant. By pointing out these defects in medical certificates in the context of the contents in FIR, he submitted that there are serious drawbacks in the prosecution case. He further submitted that investigation is completed and charge-sheet is filed. Thea accused is arrested on 08.03.2024. Police custody was granted till 21.03.2024. The accused is in custody for more than five and half months. The accused has no criminal antecedents. He prayed for bail of the accused.

5. On the contrary, Ld. APP Shri R.S. Jamadar for the State submitted that the accused had assaulted the informant and his mother on vital parts. Offence is serious in nature. He took objection to grant bail application.

6. Considering rival submissions and material on record, it appears that investigation is over and charge-sheet is filed. There are no chances of converting present offence into more serious offence. There is no threat to life of both injured

due to injuries sustained by them. Investigation is over. Accused is in custody for more than five months. He is local resident within jurisdiction of this Court and his presence can be secured. He has no criminal antecedents. Necessary conditions may be imposed to address concern of the prosecution. Hence, I pass following order :-

ORDER

1. Application Exh.5 is allowed.
2. Applicant/ accused Laxman Arjun Mujmule involved in crime No.117/2024 under section 307, 504 of the Indian Penal code registered at Vita Police Station, be released on executing PR bond of Rs.30,000/-with one or more solvent sureties in the sum aggregating to Rs.30,000/- on following conditions:-
 - (a) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or any police officer or tamper with the evidence.
 - (b) He shall furnish his detailed address, mobile/contact number, address proof, identity proof at the time of furnishing bail.
 - (c) In case of change of his residence or mobile/contact number, he shall inform it to the court and the investigating officer.
 - (d) He shall attend the court regularly.
3. A soft copy of the bail order shall be sent forthwith by e-mail to the applicants through the Jail Superintendent of the concerned jail.
4. Application Exh.5 in Sess.Case No.503/2024 is disposed of accordingly.

Vita
dt.06.09.2024

(R.R.Bhagwat)
Additional Sessions Judge,Vita.

CERTIFICATE

I affirm that, the contents of this P.D.F. file, are same word to word, as per the original order.

Name of Stenographer	: S.V.Agnihotri (Steno Grade-I)
Court	: DJ-1 & Addl. Sessions Judge,Vita
Date of order	: 06.09.2024
Signed by Presiding officer on	: 06.09.2024
Uploaded on	: 06.09.2024