

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM.

Criminal Bail Application, Exh.3 in S.T.Case No.50/2022.

(Crime No.531/2021, Malegaon Police Station)

CNR No.MHWS01-000734-2022

Dnyaneshwar Ramdas Navghare,
R/o Pangri Navghare, Tq. Malegaon,
Dist. Washim.

Applicant

Versus

State of Maharashtra through
PSO, Police Station, Malegaon,
Tq. Malegaon, Dist. Washim.

Non-applicant

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Order below Exh.1.

[Passed on 15/06/2022]

This is second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail in respect of Crime No.531/2021, for the offence punishable under Sections 307, 504 of the Indian Penal Code, registered at Police Station, Malegaon.

2] In short, prosecution case may be summarized as under -

Informant Nikhil Navghare lodged the report alleging that on 30/12/2021 at about 09:30 pm, he set on the bonfire (shekoti) and seated there along with villagers namely Keshav, Shivaji, Vishnu, Laxman. At that time, accused Dnyaneshwar came there and told Keshav that prior to two year, he fell him down from the motorcycle and caused an accident. He spent money for

his treatment. Thereafter, accused started abusing him and gave kick blows. He also assaulted by knife on the back, stomach and neck due to which Keshav sustained bleeding injury and fell on the ground. Informant while trying to save Keshav, accused also assaulted him by knife on his shoulder. Thereafter, accused ran away. Thereafter, villagers took Keshav and informant to the hospital for treatment. And then, informant lodged report to the police station.

3] According to the advocate for the applicant, present applicant came to be arrested on 01/01/2022. Thereafter, PCR was granted till 03/01/2022. Complainant was discharged on the same day. Other injured was discharged after four days. First bail application rejected on the ground that there is chance of accused to commit such type of offence again. Now charge-sheet is filed. The applicant is the bread earner of his family. If applicant is granted bail, he will abide by the conditions imposed on him. Hence, prayed for grant of bail.

4] Learned APP objected the application. According to him, accused assaulted the complainant and one Keshav by means of knife. The offence is serious in nature. Only charge-sheet is filed is not a ground for granting bail. It is further submitted that accused was having knowledge that act done by him was likely to cause death of informant or injured. Hence, prayed for rejection of application.

5] Considering the fact that applicant is in jail since 03/01/2022. Charge-sheet is already filed. Injured are discharged

from the hospital. Trial is not likely to commenced in near future. No purpose will be served by keeping accused behind the bar. The interest of prosecution can be protected by imposing certain conditions. So, I proceed to pass following order.

ORDER

- 1] Application is allowed.
- 2] The applicant/accused Dnyaneshwar Ramdas Navghare, R/o Pangri Navghare, Tq. Malegaon, Dist. Washim be released on bail, on his executing P.R. bond of Rs.25,000/- [Rupees Twenty Five Thousand only] with one or two solvent sureties of the like amount in Crime No.531/2021, for the offence punishable under Sections 307, 504 of the Indian Penal Code, registered at Police Station, Malegaon on following condition :
 - i) He shall not enter into the village where complainant resides till the decision of case.
 - ii) He shall attend the Court on each and every date.
 - iii) He shall not leave the jurisdiction of the Court without prior permission.
- 3] Humdast allowed.

Date: 15/06/2022.

(H. M. Deshpande)
Additional Sessions Judge,
Washim.

CERTIFICATE

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

Name of Stenographer :- R.R.Bharad, Stenographer (Grade-I)

Name of Court :- Shri H.M.Deshpande,
District Judge-1 and Additional
Sessions Judge, Washim, Tq. Dist.
Washim.

Date of Judgment/ Order :- 15/06/2022

Judgment/Order signed by :- 15/06/2022
the Presiding Officer on

Judgment/Order uploaded on :- 16/06/2022