

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL No.1094 OF 2009
[Arising out of SLP(Crl.) No.2696 of 2009]

BANSI

... Appellant(s)

Versus

STATE OF MAHARASHTRA

... Respondent(s)

ORDER

Leave granted.

Of the 10 accused in this case, 9 have already been released on bail. As far as the appellant is concerned, his prayer for bail was refused on account of the fact that there were certain incised injuries on the victim and on the basis of a supplementary statement a knife was said to have been recovered from the possession of the appellant.

From the circumstances, as indicated, it is difficult to ascertain as to who was responsible for the injury caused to the complainant as he was struck on the head with a sword by one of the accused, who has already been granted bail.

In that view of the matter, the appeal is allowed.

Let the appellant also be released on bail to the satisfaction of the trial court.

**.....J.
(ALTAMAS KABIR)**

**.....J.
(CYRIAC JOSEPH)**

**New Delhi,
May 15, 2009.**