

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

928 BAIL APPLICATION NO.373 OF 2022

**SAGAR ASHOK WALKE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Rajput Deepak K.
APP for Respondents/State : Mr. V.S. Badakh
...

**CORAM : M.G. SEWLIKAR, J.
DATE : 8th April, 2022**

PC.:-

Heard.

2. Allegations in the FIR are that on 14th January, 2022 at about 11.00 am one Mahadev Amrute (the informant) was on his way to village Ruichattisi on his motorcycle. His motorcycle was intercepted by a swift car near Mahesh Hotel. Accused-Shubham, Ajinath, Vishal, Sambhaji and Namdev alighted from the car. Shubham inflicted a blow of sword on the back of informant, Ajinath inflicted a blow by sickle, Vishal inflicted a blow by wooden log and Namdeo delivered a blow of sickle on the leg. Accused-Sambhaji assaulted informant with kicks and fist blows. Role attributed to the applicant and Pradip Shelke is of abusing informant in filthy language and instigating the other accused to kill the informant. On these allegations FIR

came to be lodged under Section 307, 143, 147, 148, 149, 323, 504, 506, 120-B of the I.P.C. and under Section 4/25 of the Arms Act.

3. On perusal of the investigation papers and the FIR it is clear that the only role that has been attributed to the applicant is of abusing in filthy language and instigating the other accused to kill the informant. Nothing is to be recovered from the applicant. Applicant has no criminal antecedents. He is not likely to flee from justice. In this view of the matter, I am inclined to release the applicant on bail. Hence the following order is passed:

ORDER

- I) Application is allowed.
- II) Applicant be released on PR bond of Rs.15,000/- with one solvent surety in the like amount, in connection with Crime No.27 of 2022 under Section 307, 143, 147, 148, 149, 323, 504, 506, 120-B of the I.P.C. and under Section 4/25 of the Arms Act with Ahmednagar Taluka Police Station, District Ahmednagar on condition that he shall not interfere in the investigation and shall not pressurize the witnesses and shall attend the concerned police station as and when called upon by the Investigating Officer to do so.
- III) These observations are made only for the disposal of this application and the learned trial Court shall not get influenced by these observations and can come to its independent conclusion during trial.