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

943 BAIL APPLICATION NO.733 OF 2022
WITH APPLN/1826/2022 IN BA/733/2022

KARAN BHIMRAO SOLUNKE
VERSUS
THE STATE OF MAHARASHTRA

Mr. P.P. More, Advocate for applicant;
Mr. V.S. Badakh, A.P.P. for respondent

CORAM : S. G. MEHARE, J.

DATE : 23rd June, 2022

P.C.

1. Heard the learned Counsel for the applicant and the learned A.P.P. for the respondent.
2. The learned Counsel for the applicant would submit that the first information report does not disclose a specific role played by the applicant. There are general allegations of assault. The first information report also does not disclose that the applicant has caused any serious injury that may cause the death in ordinary course of nature. The applicant is involved in the offence only being the family member of the other group. The applicant is languishing in jail

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since 25.3.2022. The bail is also sought on the ground of the health of the applicant. The health report of the applicant was called from the Superintendent of Prison. Bail is also claimed on the ground of parity.

3. The learned A.P.P. has fairly conceded that in view of the grant of bail to the similarly situated co-accused, the benefit of parity may be extended to the present applicant.

4. The applicant's name is mentioned in the first information report. The allegation against the applicant is that he and other co-accused beat the complainant with sticks. This Court, while considering the bail application of the co-accused Pawan Bhaskar Solunke and Sachin Suresh Solunke, has considered that the first information report does not disclose a specific role of the applicant. It is along with co-accused who are 22 in number. The applicant is not the author of the injury causing the death. That apart, in custody remand papers it has been mentioned that the present applicant is suffering from Blood Pressure, Diabetes and many other diseases, hence he cannot walk properly. The medical report also supports the

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contention of the applicant that he has no good health and he was admitted to the hospital. The investigation is over. The charge-sheet is also filed.

5. Considering all above aspects, more particularly the health issue of the applicant, it would be inappropriate to keep him behind bars. Hence, the following order:-

- i) Application is allowed.
- ii) The applicant Karan S/o Bhimrao Solunke shall be released on bail in C.R. No.0129/2021, registered with Nilanga police station, District Latur, for offence punishable under Sections 302, 307, 143, 147, 148, 149, 324, 323, 504, 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, on executing P.B. and S.B. of Rs.40,000/- with one or two solvent sureties of the like amount, on the condition that he shall not tamper with the prosecution witnesses and shall attend each material hearing before the Trial Court.
- iii) Criminal Application No.1826 of 2022 stands disposed of.

(S. G. MEHARE, J.)

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