

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

BAIL APPLICATION NO. 851 OF 2022

1. Janaku Limbaji Dudhawade
2. Dattu Budha Kedar
3. Bhau Limba Dudhawade ... Applicants

Versus

The State of maharashtra ... Respondent

....
Mr. Ajay T. Kanawade, Advocate for applicants
Mr. V. S. Badakh, APP for respondent - State
....

CORAM : R. G. AVACHAT, J.

DATED : 13th JULY, 2022

PER COURT :-

1. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicants have been arrested in connection with Crime No.0178/2021, registered with Ghargaon Police Station, District Ahmednagar, for the offences punishable under Sections 307, 399, 353, 402 of the Indian Penal Code and under Section 4/25 of the Arms Act.

2. Heard.

Perused the First Information Report (FIR) and the related police papers.

3. The learned APP urged for rejection of the application on the ground that chilli powder and knife came to be recovered at the instance of the applicants herein.

4. Considered the submissions advanced. Perused the FIR. Similarly placed two co-accused have been released on bail. The applicants herein are behind the bars for little over one year. Investigation is over. Charge-sheet has been filed. The informant is none other than the police personnel. Possibility of having exaggerated or given colourful version to the incident cannot be ruled out, since the injured police personnel had suffered two abrasions, for which Section 307 has been invoked. In this view of the matter, the bail application is granted in terms of following order:

ORDER

(i) The Bail Application is allowed.

(ii) The applicants shall be released on bail in connection with Crime No.0178/2021, registered with Ghargaon Police Station, District Ahmednagar, for the offence punishable under Sections 307, 399, 353, 402 of the Indian Penal Code and under Section 4/25 of the Arms

Act, on their executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with surety bond each of the like amount.

(iii) The applicants shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS