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

**22 ANTICIPATORY BAIL APPLICATION NO.957 OF 2022
WITH ABA/947/2022**

**SOMNATH DIGAMBAR LUTE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

Mr C.R. Thorat, Advocate for applicant in ABA No.957/2022;
Mr. R.K. Temkar, Advocate for applicant in ABA No.947/2022
Mr K.S. Patil, A.P.P. for respondent

CORAM : S. G. MEHARE, J.

DATE : 17th August, 2022

PC.

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent.

2. It has been transpired in the investigation that as per the CCTV footage from various places the applicants were at different places and were not on the spot of the incident. The Investigating Officer has verified the CCTV footage and also recorded the statements of the relevant witnesses. Though the allegations are serious, prima facie evidence about absence of the applicants at the spot of the incident is in their favour. Therefore, the applications need to be allowed.

Hence, the following order:-

i) The applications are allowed.

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ii) In the event of arrest of the applicant nos.(1) Somnath s/o Digambar Lute, (2) Utkarsh @ Bhaiya s/o Somnath Lute in ABA No.957 of 2022 and applicant nos. (1) Viren @ Pintya Dhashrath Katarnaware and (2) Ratnabai Dhashrath Katarnaware in ABA No. 947 of 2022, be released on bail, on executing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in C.R. No.243 of 2022, registered with Police Station, Rahata, Tq. Rahata, Dist. Ahmednagar, for offence punishable under Sections 143, 147, 148, 302, 363, 324, 149, 504, 506 of the Indian Penal Code and Section 4/25 of the Arms Act.

(S. G. MEHARE, J.)

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