

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

BAIL APPLICATION NO. 1097 OF 2022

Dipak @ Deepak S/o Vilas Sathe	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. A. D. Ostwal, Advocate for applicant
Mr. N. T. Bhagat, APP for respondent - State

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CORAM : R. G. AVACHAT, J.

DATED : 21st SEPTEMBER, 2022

PER COURT :-

1. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0014/2019, registered at M.I.D.C. Police Station, Latur, District Latur, for the offences punishable under Sections 302, 324, 143, 144, 147, 148, 149 of the Indian Penal Code.

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

3. The FIR has been lodged by the father of the deceased. It is the case of dispute over a land between the families of two brothers. All male members of the family of one brother are behind the bars. The offence took place on 16.01.2019. The applicant herein is 24 years of age. He is alleged to have wielded stick. It is true that the deceased died of multiple injuries. Postmortem report indicates the deceased suffered not less than 21 injuries. The fact is, however, that the applicant, at the relevant time, was 21 years of age. He is behind the bars for little over three years and eight months. Although the trial has commenced, three witnesses have been examined. The witnesses examined, are not material witnesses. Considering the age of the applicant and the fact that he is behind the bars for little over three years and eight months and the role attributed to him in the alleged offence, the Court is inclined to grant him, bail.

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0014/2019, registered at M.I.D.C. Police Station, Latur, District Latur, for the offences punishable under Sections 302, 324, 143, 144, 147, 148, 149 of the

Indian Penal Code, on his executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety bond of the like amount.

(iii) The applicant shall not enter the village Khadgaon, pending trial.

(iv) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS