

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

**BAIL APPLICATION NO.1166 OF 2022**

1. Rahul @ Bandu @ Ramesh Namdeo Pawar
  2. Namdeo Banka Pawar
- ..Applicants

Vs.

The State of Maharashtra and anr. ..Respondents

-----  
Mr.S.G.Kawade, Advocate h/f. Mr.S.J.Salunke, Advocate for applicants  
Mr.S.P.Sonpavale, APP for respondent no.1  
Mr.Pratap Vikhe Patil, Advocate for respondent no.2  
-----

**CORAM : R.G. AVACHAT, J.  
DATE : AUGUST 20, 2022**

**ORDER :-**

This is an application under Section 439 of the Code of Criminal Procedure. The applicants have been arrested in connection with Crime No.0031 of 2022 registered with Wadwani Police Station, Dist. Beed.

2. Heard learned counsel appearing for the parties.

3. The FIR has been lodged by a seventeen years old girl on 28.02.2022, while the incident took place on 26.02.2022. It is her case that she was alone home in the afternoon on 26.02.2022. Applicant no.1 has his garage in the neighborhood. He came her home

and fondled her breasts. The victim, therefore, raised cries. Her grandfather arrived immediately. When she informed to her grandfather the way applicant no.1 behaved with her, the grandfather questioned applicant no.1. He, thereupon, started abusing the informant's grandfather. Applicant no.1 was armed with iron rod. He assaulted the informant's grandfather therewith. Meanwhile, applicant no.2, father of applicant no.1, arrived with a wooden plank with nails thereon. He assaulted therewith the informant's grandfather and the informant. Based on the FIR, crime came to be registered.

4. Learned APP and learned counsel for the informant/victim would submit that applicant no.1 has garage in the neighborhood of the informant. If he is granted bail, he would again harass the informant. Both of them, therefore, urged for rejection of the application.

5. On investigation, charge sheet has been filed. The applicants have been behind the bars for about six months. The injuries suffered by the victim are simple in nature. It is informed that there is civil dispute between the informant's family and the applicants herein. Considering the nature of offence and the fact

that charge sheet has now been filed, the application deserves to be allowed on certain condition.

6. Hence, the following order:-

(i) The application is allowed.

(ii) The applicants be released in connection with Crime No.0031 of 2022 registered with Wadwani Police Station, Dist. Beed, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount.

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

(iv) Until conclusion of the trial, the applicants shall not enter village Bankanaik Tanda, Tq. Wadwani, Dist. Beed.

[R.G. AVACHAT, J.]

KBP