

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

BAIL APPLICATION NO. 1211 OF 2022

Rahul Suresh Pawar

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. S.S. Chapalgaonkar, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 08th SEPTEMBER, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 239 of 2016 registered with Shirdi Police Station, Dist. Ahmednagar for the offences punishable under Sections 302, 323, 504, 506 and 109 read with Section 34 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The learned A.P.P. has strong reservation to grant the applicant bail. The facts are however, other way. The offence dates back to year 2016.

The applicant has been arrested on 17th February, 2022. True, he might have been absconding. It is further informed that the trial took place against co-accused and most of them have been acquitted. The applicant is proposed to be tried based on same material. In view of same, the Court is inclined to grant the applicant bail.

4. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released on bail, in connection with Crime No. 239 of 2016 registered with Shirdi Police Station, Dist. Ahmednagar for the offences punishable under Sections 302, 323, 504, 506 and 109 read with Section 34 of the Indian Penal Code and under Sections 4 and 25 of the Arms Act, on executing PR. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

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

(R.G. AVACHAT, J.)

SSD