

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

BAIL APPLICATION NO. 1366 OF 2022

1] Saurabh Govind Patil
2] Nikhil Govind Patil
3] Govind Shivaji Patil ... Applicants
Versus
The State of Maharashtra ... Respondent

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Mr. Rahul R. Karpe, Advocate for applicants
Mr. S. P. Sonpawale, APP for respondent - State

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**WITH
CRIMINAL APPLICATION NO. 3034 OF 2022**

Nikhil Sudam Jadhav ... Applicant
Versus
Saurabh Govind Patil and others ... Respondents

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Mr. A. R. Kawade, Advocate for applicant
Mr. Rahul R. Karpe, Advocate for respondent Nos. 1 to 3
Mr. S. P. Sonpawale, APP for respondent No.4 - State

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CORAM : R. G. AVACHAT, J.

DATED : 08th SEPTEMBER, 2022

PER COURT :-

. Criminal Application No. 3034 of 2022 is allowed. The
original complainant is permitted to assist the learned APP

2. 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.588 of 2022, registered at M.I.D.C. Police Station, District Ahmednagar, for the offences punishable under Sections 307, 504, 143, 147, 148, 149 of the Indian Penal Code.

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

The quarrel and fight took place on account of a dispute over a shop allotted by the Grampanchayat of village Shingave Naik, District Ahmednagar. The informant and his father were allegedly assaulted by the applicants herein.

4. The learned APP and the learned Advocate for the informant would submit that it was a bid on the life of the father of the informant. Applicant Saurabh assaulted on his head with a shovel. Another applicant had caught hold of the victim. Third one had also assaulted with shovel on the waist of the informant.

5. The investigation is still underway. If the applicants are granted bail, they would go back to the village and indulge in similar crimes.

6. Assault on the head is attributed to applicant No.1 Saurabh. The Court is, therefore, not inclined to grant him bail for the present. He may revive his prayer for bail no sooner his charge is filed.

7. So far as other applicants are concerned, considering their role in the alleged offence, they are granted bail in terms of following order:

ORDER

- (i) The Bail Application of applicant No.1 is rejected.
- (ii) The Bail application of applicant Nos. 2 and 3 is allowed.
- (iii) The applicant Nos. 2 and 3 be released on bail in connection with Crime No.588 of 2022, registered at M.I.D.C. Police Station, District Ahmednagar, for the offences punishable under Sections 307, 504, 143, 147, 148, 149 of the Indian Penal Code, 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.
- (iv) The applicant Nos. 2 and 3 shall not enter the village Shingave Naik, District Ahmednagar for next six months.

- (v) The applicant Nos. 2 and 3 shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS