

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

BAIL APPLICATION NO. 1530 OF 2022

Juned Yusuf Pathan	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. Amit S. Savale, Advocate for applicant
Mr. V. S. Badakh, APP for respondent - State

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CORAM : R. G. AVACHAT, J.

DATED : 23rd 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.422/2022, registered at Dhule City Police Station, District Dhule, for the offences punishable under Sections 394, 395, 397, 326, 504, 506, 34 of the Indian Penal Code.

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

3. The FIR has been lodged by the victim himself on 22.07.2022. It is his case that his sister is the Municipal

Corporator of Ward No.19-C. He would assist his sister in social work. The informant had quarrel with the applicant and the co-accused two months before the incident in question.

It is further his case that by 12.45 p.m. on 22.07.2022, he was returning home on his motorbike. The present applicant and co-accused Javed assaulted him with baseball bats. It is further alleged that co-accused Javed robbed him of his gold chain and the present applicant relieved him of Rs.20,000/- cash.

4. The informant then gave a supplementary statement on 29.08.2022 and changed his version to some extent. He, now says that Rs.20,000/- were removed from his pocket by one Shaharukh Shah and not the present applicant. As such what allegations remain against the applicant is to have assaulted the informant on his leg with a baseball bat. The applicant is in jail for little over one month.

5. Considering the role played by the applicant in the alleged offence and the fact that the applicant is behind the bars for little over one month, the Court is inclined to grant him bail. Hence, following order:

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.422/2022, registered at Dhule City Police Station, District Dhule, for the offences punishable under Sections 394, 395, 397, 326, 504, 506, 34 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 tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS