

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1766 OF 2022

YOGESH DADASAHEB LAGHANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. V. H. Pathade
APP for Respondent : Mr. K. S. Patil

...
WITH
BAIL APPLICATION NO.1707 OF 2022

PRALHAD DNYANESHWAR WAGH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Kuldip s. Kahalekar h/f.
Mr. S. M. Nawale
APP for Respondent : Mr. K. S. Patil

...
WITH
BAIL APPLICATION NO.1636 OF 2022

SAURAV SAHEBRAO INDAPURE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Suyog S. Rathi
APP for Respondent : Mr. K. S. Patil

...

CORAM : S. G. MEHARE, J.

DATE : 19-10-2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.

2. It has been alleged against the applicants that they assaulted the injured with sword and caused the injuries to Ganesh. Initially, the offence under Section 326 of the Indian Penal Code was registered. However, subsequently it was converted to Section 307 of the Indian Penal Code.

3. The learned counsel for the applicants would argue that all the applicants have undergone the police custody. The police have recovered the alleged weapon. The investigation has been completed. The chargesheet has also been filed. The applicants are young boys. There are no antecedents to their discredit. Therefore, they may be released on bail.

4. The learned A.P.P. has strongly opposed the application. He would contend that the injured has suffered injuries. The applicants have used the deadly weapon. The applicants may tamper with the prosecution witnesses. Hence, they may not be granted the bail.

5. It is not in dispute that the main injured has been discharged within six days from his admission to the hospital. The weapon has been seized. The chargesheet has also been filed. Nothing remained to be investigated against the applicants. The apprehension of the prosecution that the applicants may tamper with the prosecution can be guarded by imposing certain

conditions. The applicants deserve bail. Hence, the following order :-

- i) The applications are allowed.
- ii) The applicants Yogesh s/o. Dadasheb Laghane, Pralhad s/o. Dnyaneshwar Wagh, Saurav Sahebrao Indapure, be released on bail, on furnishing PB and SB of Rs.25,000/- each, with one solvent surety of the like amount, in C.R.No.0247 of 2022 registered with Police Station Bidkin, Taluka Paithan, District Aurangabad, for the offences punishable under Sections 307, 143, 147, 148, 149, 326, 324, 504, 506 of the Indian Penal Code and Sections 4, 25 of the Arms Act, on the condition that they shall not tamper with the prosecution witnesses.
- iii) Bail before the concerned trial Court.

**(S. G. MEHARE)
JUDGE**

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