

(1)

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

BAIL APPLICATION NO.1831 OF 2022

**RAJENDRA AADHIKARAO SALUNKHE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Waramaa B.R.
APP for Respondent/State : Ms. V.S. Choudhari

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CORAM : S.G. MEHARE, J.

DATED : 10th NOVEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. Learned counsel for the applicant would submit that apparently there was no intention to commit the crime. The applicant has undergone the police custody. The iron angle has also been seized from the spot of the incident. The quarrel took place while digging the pits for fencing the farm. The complainant and the accused are the neighbours. The offence under Section 326, 447, 504 and 506 has been registered. The injured has already been discharged. There are no antecedents to the discredit of the applicant. The applicant is a farmer. He has to maintain his family. In view of the nature of the quarrel, further detention of the applicant would not be required.

(2)

3. Learned APP has strongly opposed the application contending that the injured has suffered grievous injuries. Deadly weapon has been used. Hence, the application be rejected.

4. Perused the application and the police papers. It seems that the dispute arose when the applicant was digging the pits for fencing the field. In the fit of anger, the incident appears to have been happened. Undisputedly, the injured has been discharged and the weapon has been seized. In view of the facts of the case and material progress in the investigation, the applicant has a good case for bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Rajendra Aadhikarao Salunkhe, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.271/2022 registered at Bhadgaon Police Station, District Jalgaon for the offence punishable under Section 326, 447, 504, 506 of the Indian Penal Code, on the condition that the applicant shall not tamper with the prosecution witness.
- (iii) The applicant shall not contact the complainant in any mode or manner.
- (iv) The applicant shall not involve in similar nature of offence.

(3)

(v) Bail before the learned Magistrate.

(S.G. MEHARE, J.)

Mujaheed//