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

**BAIL APPLICATION NO.1860 OF 2022**

**LUKY @ ATISH JAISYING KANDHARE @ KANDERE  
VERSUS  
THE STATE OF MAHARASHTRA**

Mr. Rajendra G. Hange, Advocate for applicant;  
Ms. V. S. Choudhari, A.P.P. for respondent No.1/State;  
Mr. A. B. Lokhande, Advocate holding for Mr. G. K. Thigale-Naik,  
Advocate for the complainant

**CORAM : S. G. MEHARE, J.**

**DATE : 19<sup>th</sup> December, 2022**

**PC.**

1. Heard the learned counsel for the applicant, the learned A.P.P. for the respondent/State and the learned counsel for the complainant.
2. On 07.12.2022, the learned counsel Mr. Thigale-Naik for the complainant sought time to file an application in the office. However, his junior Mr. Lokhande appeared with the application requesting the Court to take the same on record and allow him to argue. When the Court asked him why he did not file application in the office for registration, he tendered apology. The institution of such application in office, is essential for the appropriate record. He is at liberty to file the application in the office. He is advancing the similar argument as the learned A.P.P. advanced for respondent/State.

(2)

3. Perused the papers. Similarly situated co-accused Aakash Jaysing Kandhare has been granted bail by this Court by order dated 05.09.2022, passed in Bail Application No.1609 of 2022. The Court has granted bail to accused Aakash observing that there was seven days delay in lodging the first information report. The history of road traffic accident was given to the hospital consistently. In view of the role attributed to the applicant similar to co-accused Aakash, parity may be granted. Hence, the following order:-

- i) Application is allowed.
- ii) Applicant Luky @ Atish Jaisying Kandhare @ Kandere, be released on bail, on furnishing PB and SB of Rs.25,000/- with one solvent surety of the like amount, in C.R.No.36 of 2022 registered with Police Station Shivaji Nagar, Taluka and District Beed, for the offence punishable under Sections 302, 307, 323, 504 and 506 read with Section 34 of the Indian Penal Code, on the conditions that,
  - (a) He shall not tamper with the prosecution witnesses.
  - (b) He shall not involve in the similar crime.
  - (c) He shall not be in touch with the co-accused till conclusion of the trial.

**(S. G. MEHARE, J.)**

amj