

(1)

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

BAIL APPLICATION NO.1871 OF 2022

**HARBHAJANSINGH @ SUNNY SURENDARSINGH RAMGADIYA
VERSUS
THE STATE OF MAHARASHTRA**

Mr. Mahesh K. Bhosale, Advocate for applicant;
Mr. A.A. Jagatkar, A.P.P. for respondent

CORAM : S. G. MEHARE, J.

DATE : 23rd December, 2022

PC.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant is behind bar for about three years for an offence of attempting to commit murder.
3. The learned counsel for the applicant would argue that there are no antecedents to the discredit of the applicant. Only one grievous injury was sustained to the injured that too on the elbow. The investigation has been completed. The applicant is a young boy of 23 years only. Hence, he may be granted bail.
4. The learned A.P.P. would argue that the offence is serious. The deadly weapon has been used in the crime. Hence, he may not be granted bail.

(2)

5. Perused the chargesheet. The incident happened on 02.11.2019. The applicant was granted bail under the peculiar situation of Covid-19 pandemic. However, after the lockdown was withdrawn, the applicant surrendered and now behind bar. The investigation has been completed against the applicant. There are no antecedents to the discredit of the applicant. Considering his age and the circumstances, it would be inappropriate to keep the applicant behind bar. Hence, the following order :-

- i) Application is allowed.
- ii) Applicant – Harbhajansingh @ Sunny Surendarsingh Ramgadiya, be released on bail, on furnishing PB and SB of Rs.50,000/- with one solvent surety of like amount, in C.R.No.0278 of 2019 registered with Police Station Vimantal, Nanded, District Nanded, for the offence punishable under Sections 307, 323, 504, 506 read with Section 34 of the Indian Penal Code and Sections 4/25 of Arms Act (Sessions Case No.74 of 2020 pending before the learned Additional Sessions Judge, Nanded), on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

amj