

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1873 OF 2022

SHANTABAI MAHADU GOPANE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Ganesh P. Shinde
APP for Respondent : Mr. S. B. Narwade
...

CORAM : S. G. MEHARE, J.

DATE : 29-11-2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.
2. After having gone through the first information report, the story calling the deceased to intervene the quarrel of the applicants by her son and then assaulted him, raises a serious doubt about the truth of the incident. Be that as it may, the Court has not to express the opinion on merit. However, considering the first information report, there are no allegations that the applicants have played an active role in the assault to the deceased. The applicants are old aged persons.
3. Considering the papers produced by the learned A.P.P. the Court is of the view that the applicants have a *prima facie* good case for bail. Hence, the order :-

- i) The application is allowed.
- ii) Applicant Nos.(1) Shantabai w/o. Mahadu Gopane, (2) Madhav @ Mahadu s/o. Kisan Gopane, be released on bail, on furnishing PB and SB of Rs.15,000/- with one solvent surety of the like amount each, in C.R.No.254 of 2021 registered with Police Station Himayatnagar, Taluka Himayatnagar, District Nanded, for the offence punishable under Sections 302, 307, 324, 109 read with Section 34 of the Indian Penal Code, on the condition that they shall not tamper with the prosecution witnesses.

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

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