

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

940 BAIL APPLICATION NO.1694 OF 2021

1. SACHIN VISHWAMBHARRAO BHAROSE
2. RAJA @ RAJESHWAR S/O DNYANESHWAR BHAROSE
3. KRUSHNA @ BICHU S/O DEVIDAS BHALERAO
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Salunke Sudarshan J.
APP for Respondents/State : Mr. V.S. Badakh
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CORAM : M.G. SEWLIKAR, J.
DATE : 13th January, 2022

PC.:-

Heard.

2. Applicants are alleged to have committed offence under Section 307, 326, 427, 143, 147, 148, 149 506 of THE I.P.C. and under Section 135 of THE Maharashtra Police Act vide Crime No.369/2021 registered with Purna Police Station, District Parbhani.

3. It is alleged in the FIR that informant is the owner of the Hotel Jagdamba at Zero Phata, Parbhani. On 13th October, 2021 at 7.30 pm accused Sachin Bharose, Krishna Bhalerao, Rajeswhar @ Raja Bharose had dinner and were paying less amount than the amount recorded in the bill. On that count

altercation followed. All the three accused threatened the informant of dire consequences.

4. At 8.50 pm on the same day all the three accused along with Sandip Bhalerao, Omkar Bhalerao came there armed with iron rod and sticks. They were also accompanied by Nagesh Bhalerao and Sunil Bharose and one unknown person. All of them assaulted the informant and his brother. Informant and his brother sustained injuries on their head. On these allegations FIR came to be lodged.

5. I have heard learned counsel Shri Salunke for the applicants and Shri Badakh learned APP for the State.

6. On perusal of the investigation papers, it is seen that the injury certificate of informant and his brother Vishnu have been collected. Informant Ram has fracture of olecranon on right hand, whereas, witness-Vishnu has fracture of olecranon on left side. Injury certificates do not suggest that the injured and the informant had injury on any vital part of the body. Investigation papers denote that entire investigation is almost complete. Only the formality of submitting the charge-sheet is left. Applicants have no criminal antecedents. This is their first offence. They are not likely to flee from justice. Therefore, I am inclined to release the applicants on bail. In this

view of the matter the following order is passed:

ORDER

- I) Application is allowed.
- II) Each of the applicants be released on PR bond of Rs.50,000/- with one solvent surety in the like amount each, in connection with Crime No.369 of 2021 under Section 307, 326, 427, 143, 147, 148, 149, 506 of the I.P.C. and under Section 135 of the Maharashtra Police Act with Purna Police Station, District Parbhani on condition that they shall attend the concerned police station on every Wednesday and Saturday between 10.00 am and 3.00 pm till the filing of charge-sheet. They shall not interfere in the investigation and shall not presurprise the witnesses.
- III) These observations are made only for the disposal of this application and the learned trial Court shall not get influenced by these observations and can come to its independent conclusion during trial.

[M.G. SEWLIKAR, J.]