

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.187 OF 2023

AKSHAY @ AAKASH DILIP PATHARE
VERSUS
THE STATE OF MAHARASHTRA

...
WITH
BAIL APPLICATION NO.188 OF 2023

VINOD MURLIDHAR MORE
VERUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Mazhar A. Jahagirdar
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 08-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The statements as regard the commission of the offence is inconsistent. The deceased alleged that the applicant assaulted him for not offering them liquor. The another witness from the bar states that the deceased and two accused had consumed liquor in the bar. They were quarreling there and they left together. The statement of brother of the deceased reveal that one auto rickshaw man left the deceased to the home and told him that the

deceased met with an accident. After some days, the sister-in-law of the deceased came ahead and alleged that she saw the applicants assaulting the deceased. The history of assault narrated in the hospital is also inconsistent. In the light of the fact, it is doubtful whether the deceased received injuries caused by the applicant or it was an accident. Under such circumstances, the applicant deserves bail. Hence, the following order:-

- i) Application is allowed.
- ii) Applicant Akshay @ Aakash Dilip Pathare, in B.A.No. 187 of 2023, and applicant Vinod Murlidhar More, in B.A.No. 188 of 2023, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in C.R.No.594 of 2022 registered with Shrirampur City Police Station, Taluka Shrirampur, District Ahmednagar, for the offence punishable under Sections 326, 504, 506 and 302 read with Section 34 of the Indian Penal Code and Section 128 of the Motor Vehicles Act, on the condition that he shall not tamper with the prosecution witnesses.

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