

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.388 OF 2023

VISHNU S/O. YADAWRAO NIMMALWAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Vikas S. Bhale
APP for Respondent : Mr. S. P. Sonpawale
...

CORAM : S. G. MEHARE, J.

DATE : 23-03-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant has been arraigned as an accused in the alleged crime. The learned counsel for the applicant has vehemently argued that the applicant has been falsely implicated by rival groups. He is a politician leader in the locality. He never had assailed the first informant, but a conspiracy has been hatched to implicate the applicant. He was just married. Nothing has been recovered from him. Hence, he may be granted bail.
3. The learned A.P.P. opposed the application. He would argue that the offence is serious. Six crimes are to his discredit. He is an influential person in the village. Therefore, he may tamper with the prosecution witnesses. Considering the overall circumstances, he does not deserve bail.

4. The record reveals that nothing has been recovered from the applicant. It is also not in dispute that he is a political leader. So, the possibility of political rivalry cannot be denied. The earlier crimes would not come in his way for bail. However, to guard the interest of the witnesses, certain conditions may be imposed. Hence, the order :-

- i) The application is allowed.
- ii) Applicant Vishnu s/o. Yadawrao Nimmalwad, be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in C.R.No.8 of 2023, registered with Police Station Mukramabad Police Station, Taluka Mukhed, District Nanded, for the offences punishable under Sections 392, 394, 323, 395, 397, 120B read with Section 34 of the Indian Penal Code and Sections 3/25 of the Arms Act, on the conditions that,
 - a) He shall not tamper with the prosecution witnesses.
 - b) He shall attend the police station as and when called on written notice by the Investigating Officer.
 - c) He shall stay away from his village for three months from the date of his release except for the purpose of attending the police station as and when called by the Investigating Officer on written notice.

(S. G. MEHARE)
JUDGE