

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

BAIL APPLICATION NO.451 OF 2023

**RAMESHWAR JANGLYA BHOSALE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Gaikwad Satish A.
APP for Respondent/State : Mr. K.S. Patil

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CORAM : S.G. MEHARE, J.

DATED : MARCH 24, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant has been arraigned as an accused on the sole statement of the co-accused. Nothing is recovered at his instance.
3. Learned counsel for the applicant would argue that he did not know about the present crime registered against him. The procedure under Section 84 of Cr.P.C. was not followed. He did not abscond. He was arraigned as an accused as earlier crimes were at his discredit.
4. Learned APP would argue that there are antecedents to the discredit of the applicant. He was repeatedly involved in the similar crime. In such circumstances, the statement of the co-accused is relevant to believe the prosecution case at this stage.

5. The statement of the co-accused under police custody is immaterial. Nothing has been recovered from him. The stand taken by the learned counsel for the applicant of involving him in the present crime as he was the accused in similar crime, appears probable. The charge sheet has also been filed. In the facts of the case, the application deserve to be allowed. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Rameshwar Janglya Bhosale, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.81 of 2017, registered with Pachod Police Station, District Aurangabad for the offence punishable under Section 394, 511 read with Section 34 of the Indian Penal Code and Section 3/25 of Indian Arms Act, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the concerned police station on last friday of each month between 06.00 pm to 08.00 pm for six months from the date of his release.

(S.G. MEHARE, J.)