

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

BAIL APPLICATION NO.594 OF 2023

BHARGAO VISHWAS GADHE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Mohammad Naseer A
APP for Respondent: Mr. S. B. Narwade
....

CORAM : S. G. MEHARE, J.

DATE : 26.04.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.P.P. for respondent/State.
2. The applicant is seeking bail in Crime No.297 of 2022 registered with Muktainagar Nagar Police Station, District Jalgaon for the offences punishable under Sections 302, 201 and 404 of the Indian Penal Code.
3. Perused the papers. It appears that active role is played by the father of the applicant. He seems to be with his father all the time. The recovery of the weapon is also at the instance of the father who is co-accused. The evidence collected by the investigating officer in the crime do not show the role of the

applicant, constituting not more than offence under Section 201 of the Indian Penal Code. Considering the peculiar role attributed to the applicant, the Court is of the view that his detention would not serve the purpose. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant Bhargao Vishwas Gadhe be released on bail on furnishing P. B. and S.B. of Rs. 50,000/- with one solvent surety of the like amount, in aforementioned crime registered with aforementioned police station, on the following conditions :-
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every date.

(S. G. MEHARE)
JUDGE

ysk