

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.638 OF 2023

RATNADIP WAMAN DUMANE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr.Cedric D. Fernandes, Mr. V. S. Dhotare
APP for Respondent : Mr. S. P. Sonpawale
...

CORAM : S. G. MEHARE, J.

DATE : 04-05-2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.
2. The applicants are seeking bail in C.R.No.33 of 2023 registered with Ramtirth Police Station, Taluka Biloli, District Nanded, for the offences punishable under Sections 302 and 342 of the Indian Penal Code.
3. Sufficient time was granted to the Investigating Officer to make a statement as regards the video clip of the incident, but he did not respond. The Superintendent of Police, Nanded, is directed to take necessary action for disobedience of the court orders against the concerned.
4. The learned counsel for the applicants made a statement at bar that the video clip has been provided to the Investigating Officer.

5. The learned A.P.P. states that no statement has been made yet by the Investigating Officer, though he was reminded time and again. However, he had an occasion to watch the said clip. In the said clip, one person wearing a baniyan was seen banging the head of the deceased on the platform. The learned counsel for the applicants make a statement that said person was accused No.1, namely, Waman Dumane.

6. Perused the papers placed before the Court.

7. Considering the role attributed to the applicants that they were barely standing on the spot of the incident and the material progress in the investigation, the Court is of the view that the applicants deserve bail. Hence, the order:-

- i) The application is allowed.
- ii) Applicants No. (1) Ratnadip Waman Dumane and (2) Dayanand s/o. Dau Waghamare, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, C.R.No.33 of 2023 registered with Ramtirth Police Station, Taluka Biloli, District Nanded, for the offences mentioned above, on the conditions that,
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall not contact the relatives of the victim till conclusion of the trial.
- iii) Lateron, after passing the above order, the Investigating Officer appeared in person.

(S. G. MEHARE)
JUDGE