

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

BAIL APPLICATION NO.635 OF 2023

UMESH SUBHASHRAO INGALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. G. G. Kadam
APP for Respondent: Mr. S. B. Narwade

....

WITH

BAIL APPLICATION NO. 572 OF 2023

SURJEET SINGH @ SURAJ CHOTU SINGH @ KALU SINGH SAPURE
VERSUS
THE STATE OF MAHARASHTRA

....
Advocate for the applicant : Mr. M. K. Bhosale h/f Mr. Granthi
Manpreet Ajeet Singh
APP for the Respondent-State : Mr. S. B. Narwade

.....

CORAM : S. G. MEHARE, J.

DATE : 19.04.2023

PER COURT :

1. Heard the learned counsel for the applicants, the learned A.P.P for the respondent/State.
2. The applicants are seeking bail in Crime No. 536 of 2022 registered with Nanded Rural Police Station, District Nanded for the offences punishable under Sections 302, 307, 120-B, 452,

294, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code and Sections 4/25 and 4/27 of the Arms Act and Section 135 of the Maharashtra Police Act.

3. The CCTV footage was the best evidence collected by the investigating officer. The witness has stated that applicant Surjitsing chased the complainant with a dagger. Then he and applicant Umesh Ingale assaulted the deceased when he fell down.

4. The applicants were captured in the CCTV footage. However, CCTV footage does not reveal applicant Surjit chasing the complainant with dagger. The common allegations against both are that they assaulted and beat the deceased and when he fell down. The applicants are languishing in Jail since September, 2022. There is no antecedents to the discredit of the applicant Surjitsing. However a single crime is registered against the applicant Umesh Ingale. Considering the role attributed to the applicants, captured in the CCTV footage as well as the completion of the investigation, the Court is of the view that the bail may be granted to them on stringent conditions. Hence, the following order.

ORDER

- (i) The applications are allowed.
- (ii) Applicant Umesh Subhashrao Ingale in B.A. No. 635 of 2023

and applicant Surjeet Singh @ Suraj Chotusingh @ Kalusingh Sapure in B.A. No. 572 of 23 be released on bail on furnishing P. B. and S.B. of Rs. 50,000/- (Rs. Fifty thousand) each with one solvent suety of the like amount, in Crime No 536 of 2022, registered with Nanded Rural Police Station, District Nanded for the offences punishable under Sections 302, 307, 120-B, 452, 294, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code and Sections 4/25 and 4/27 of the Arms Act and Section 135 of the Maharashtra Police Act, on the following conditions :

(a) The applicants shall not tamper with the prosecution witnesses.

(b) They shall attend the concerned police station on every third and last Thursday of the month, between 3.00 p.m. to 5.00 p.m. till conclusion of the trial.

(c) They shall not threat the witnesses.

(d) They shall attend the trial on each and every date.

(S. G. MEHARE)
JUDGE

ysk