

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

BAIL APPLICATION NO.668 OF 2023
WITH APPLN/1599/2023 IN BA/668/2023

VIKAS DAMODHAR PUJARI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. S. E. Shekade
APP for Respondent: Mr. S. P. Deshmukh
Advocate for the complainant : Mr. Y. B. Bolkar
.....

CORAM : S. G. MEHARE, J.

DATE : 03.05.2023

PER COURT :

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent/ State and the learned counsel for Mr. Y. B. Bolkar, for the injured.

2. The applicant is seeking bail in Crime No. 224 of 2023 registered with Police Station Rahuri, District Ahmednagar for the offences punishable under Sections 307, 354(A), 323, 132, 147, 148, 149, 504, 506 of the Indian Penal Code.

3. The learned counsel for the applicant submits that both parties were fighting in Civil Court over the dispute of immovable properties. Both of them were lodging reports against

each other. The injured was searching for the reason to raise the quarrel and used to instigate the applicant and his family. The incident had happened in the spur of moment. The weapon have been seize and nothing is to be recovered from the applicant. He has specifically denied the allegations of molesting the victim. The applicant is languishing in jail since 24th February 2023. The material investigation has been completed. Hence, he may be granted bail.

4. The learned A.P.P and the learned counsel for the complainant have strongly opposed the application. It has been argued that the injuries suffered to the injured were grievous. He was admitted to the hospital for 14 days. The offence is serious. The past of the applicant is not good. The possibility of repeating the crime cannot be ruled out.

5. The facts of the case reveal that the parties were fighting over the properties since long and none of them were leaving a single stone unturn. The weapon has been seized. The material investigation against the applicant has been completed. Hence, further detention of the applicant would serve no purpose. However, to guard the apprehension of the prosecution of repeating the crime certain conditions may be imposed. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant Vikas Damodhar Pujari 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 not enter village Kesapur, Taluka Rahuri District Ahmednagar for six months from the date of his release.
 - (c) He shall not contact the victim or any other witnesses till conclusion of the trial.
 - (d) He shall attend the trial on each and every effective date.
 - (e) He shall not repeat the similar crime.
- (iii) Criminal application No. 1599 of 2023 stands disposed of.

(S. G. MEHARE)
JUDGE

ysk