

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

BAIL APPLICATION NO.696 OF 2023

VITHAL MADHAVRAO HABGUNDE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. H.R. Lomate h/f Mr. M.V.
Salunke
APP for Respondent: Mr. S. P. Deshmukh
.....

CORAM : S. G. MEHARE, J.

DATE : 03.05.2023

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 Crime No. 31 of 2023 registered with Police Station Malakoli, Tq. Loha, District Nanded for the offences punishable under Sections 307, 323, 504 read with Section 34 of the Indian Penal Code.
3. It seems that the incident took place when the injured was trying to separate the dispute between the applicant and brother in law of the applicant Vithal. The

incident happened in the spur of moment. The weapons have been seized. The injured has also been discharged. Nothing is to be recovered from the applicants. In view of that matter, the applicants deserve bail. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant No.1 Vithal Madhavrao Habgunde and applicant No.2 Ratnakant @ Ratan S/o Madhavrao, Habgunde be released on bail on furnishing P. B. and S.B. of Rs. 50,000/- each with one solvent surety of the like amount, in aforementioned crime registered with aforementioned police station, on the following conditions :-
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall not contact the victim/injured till the conclusion of the trial.
 - (c) They shall not enter village Kejgirwadi, Taluka Palam, District Parbhani where the victim resides till the conclusion of the trial.

**(S. G. MEHARE)
JUDGE**