

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

BAIL APPLICATION NO.707 OF 2023

**KRUSHNA @ HONDA SHESHRAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. R. G. Hange
APP for Respondent: Mr. K. S. Patil
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CORAM : S. G. MEHARE, J.

DATE : 05.06.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant is seeking bail in Crime No. 71 of 2021 registered with Police Station Talwada Tq. Georai, District Beed for the offences punishable under Sections 302, 326, 323, 504 and 506 of the Indian Penal Code.
3. The incident appear to have been happened at the spur of the moment when the accused was demanding deceased Rs. 2,000/- back as it was kept with him by his sister. The deceased did not die instantaneously. Initially he was

hospitalized and after three days he died. The weapon was collected from the spot of the incident. The applicant is 23 years old.

4. The allegations levelled against him are that he has mercilessly beaten the deceased for the trivial reasons and the incident has been witnessed by the son and wife of the deceased. The applicant has an explanation that since the injury as observed in the medical report was simple, the offence under Section 326 of the Indian Penal Code was registered. Police did not arrest him and after the death of the deceased the offence has been converted to murder. He never absconded. Be that as it may, the fact remains that the incident happened at the spur of the moment. There are no antecedents to his discredit. He is a young boy of 23 years old. The trial may take its time. Hence, he deserves bail.

ORDER

- (i) The application is allowed.
- (ii) Applicant Krushna @ Honda s/o Sheshrao Chavan 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 the village Bagewadi, Tq. Georai, District Beed, for a period of three months from the date of his release.
- (c) He shall attend the trial on each and every effective date subject to exceptional circumstances.

(S. G. MEHARE)
JUDGE

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