

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

BAIL APPLICATION NO.710 OF 2023
WITH APPLN/1598/2023 IN BA/710/2023

SHANKAR NATHRAO KENDRE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. P. P. More
APP for Respondent: Mr. S. P. Sonpawale
Learned counsel for the complainant : Mr. G. L. Kedar
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CORAM : S. G. MEHARE, J.

DATE : 28.04.2023

PER COURT :

1. Heard the learned counsel for the applicants, the learned A.P.P. for the respondents/State and the learned counsel for the complainant.
2. The applicants are seeking bail in Crime no. 101 /2023 registered with Police Station Chakur, District Latur for the offences punishable under Sections 143, 147, 148, 149, 326, 324 and 504 of the Indian Penal Code.
3. It appears that the complainant and the applicants are cousin. They have dispute over the boundary of agricultural

lands. The said dispute is pending before the Revenue Court. The injured is a Police Constable. Admittedly, he suffered the grievous injuries.

4. The injured has opposed the bail application on the ground that the applicants are repeatedly involving in the similar crime and he has apprehension of danger to his life.

5. Perusal of the papers reveals that the applicant Shankar has assaulted the injured with an axe. The applicants were arrested on 28th March 2023. They have been interrogated. The weapon allegedly used in the crime has also been recovered. However, the role as regards applicant Achyut is silent. The material investigation appears to have been completed. In the facts and considering the nature of dispute, bail may be granted on certain stringent conditions. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant No.1 Shankar Natharao Kendre and applicant No.2 Achyut Natharao Kendre 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) The applicant No.1 Shankar Kendre shall not enter village Rohina (Ambika) Taluka Chakur, District Latur for six months from the date of his release.
- (c) The applicant No.2 Achyut shall maintain law and order and avoid repeating the similar crime.
- (iii) Criminal Application No. 1598 of 2023 Stands disposed of

(S. G. MEHARE)
JUDGE

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