

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

930 BAIL APPLICATION NO.752 OF 2023

VIKAS DADARAO SHINDE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Sharma Govind M.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 30.06.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.17 of 2023, registered at Shirdi Police Station, District Ahmednagar, for the offences punishable under Sections 376, 323, 452, 504, 506 read with Section 34 of the IPC.
3. The victim and the applicant are relatives. They are neighbour. On the alleged date of the incident, the brother of the victim assaulted the accused. He had lodged the report of the said incident. He was immediately sent for medical examination. The injuries matched as alleged in the FIR. The present incident as alleged happened at 1.00 a.m. in the house

of victim. The FIR itself reveals that the victim woke up as her maternal aunt awakened her saying that she had pains. That time, the wife of the applicant also present there. The maternal aunt was asking to call Bala or Bharat, the brother of the victim. Thereafter, her maternal aunt and the wife of the applicant left the spot of the incident. But, the presence of her brothers on the spot of the incident have been disappeared. Considering the age of the victim and their previous enmity, something appears there which is not coming forward. The brother of the victim assaulted the applicant as the victim was missing from his house. This also indicates that there was something between them. The investigation has been completed. Considering the facts in toto, the Court is of the view that further detention of the applicant would serve no purpose. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **VIKAS DADARAO SHINDE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.17 of 2023, registered at Shirdi Police Station, District

Ahmednagar, for the offences punishable under Sections 376, 323, 452, 504, 506 read with Section 34 of the IPC, on the following conditions :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) He shall not contact the victim in any mode or manner till conclusion of the trial.
- (c) He shall stay away from his residence for four months from the date of his release.

(S. G. MEHARE, J.)

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vmk/-