

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

BAIL APPLICATION NO.857 OF 2023

**YOGESH MOHAN MASKE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Salunke Sudarshan J
APP for Respondent/State : Mr. S.B. Narwade

...
CORAM : S.G. MEHARE, J.

DATED : JUNE 19, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.283 of 2022 registered with Jintur Police Station, District Parbhani for the offence punishable under Section 302, 120-B, 143, 147, 148, 149 of Indian Penal Code and Section 4/25 of Indian Arms Act.
3. The role attributed to the applicant as alleged was that he prevented the friends of the deceased from saving his life. Considering the way in which the alleged incident happened, in natural course nobody would dare to intervene the assault. In these circumstances, whether really the applicant obstructed the friends of the deceased from saving his life is a matter of evidence. Except this, there are no allegations against him. Nothing is alleged against him that he had used the weapon nor any weapon is recovered at this

instance. In the facts and circumstances of the case, further detention of the applicant would serve no purpose. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Yogesh Mohan Maske, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with the above crime, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the trial on each and every date.
- (iv) The applicant shall not meet the co-accused till conclusion of the trial.

(S.G. MEHARE, J.)