

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

BAIL APPLICATION NO.893 OF 2023

**SHUBHAM S/O BALIRAM PHAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. Hange Anirudh R.
APP for Respondent:

....

CORAM : S. G. MEHARE, J.

DATE : 16.06.2023

PER COURT :

1. Heard the learned counsel for the applicants and the learned A.PP for the respondents/State.

2. The applicants are seeking bail in Crime No. 98 of 2023, registered with Beed Rural Police Station for the offences punishable under Sections 307, 326, 325, 323, 343, 147, 148, 149, 504 and 506 of the Indian Penal Code read with Section 4 and 25 of the Indian Arms Act.

3. It seems to be a quarrel between two groups. As per the allegations made by the injured Akash, applicant No.1 Shubham is also assaulted him on shoulder with the sickle. However, he did not have

injury on his shoulder. The second allegations against him is that he has also assaulted to the first informant with iron rod on his back.

4. As far as the allegations against applicant No.2 Sandeep is concerned, he has assaulted the first informant with iron rod on his right hand palm.

5. Perused the papers. It appears that the injured have been immediately discharged. The weapons allegedly used in the crime have been recovered. There are no antecedents to the discredit of the applicants. Therefore, keeping them into jail is not safe. However, the apprehension of the investigating officer that there may be possibility of another crime as the applicants and the injured are residing in the same village can be guard by imposing certain conditions. Hence, the following order :-

ORDER

- (i) Bail Application is allowed.
- (ii) The Applicant No.1 Shubham Baliram Phad and applicant No.2 Sandeep Balkrishan Phad be released on bail on executing PB. and S. B. of Rs. 50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount in connection with Crime No. 98 of 2023 registered with Beed Rural Police Station Taluka and District Beed for the offences punishable under Sections 307, 326, 325, 341, 323, 343,

147, 148, 149, 504,m 506 of Indian Penal Code and Section 4 and 25 of Arms Act on the conditions that :-

- (a) The applicants shall not tamper with the prosecution witnesses.
- (b) They shall attend the police station as and when called by the Investigating Officer on written notice, till filing charge sheet against them.
- (c) They shall not enter village Tandalwadi Bhil, Taluka and District Beed for three months from the date of their release.

(S. G. MEHARE)
JUDGE

ysk