

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.930 OF 2023

MANOJ @ RUPESH MADHAV BANKAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. P. S. Magar, Mr. Shakil U. Shaikh
APP for Respondent : Ms. V. N. Patil Jadhav
...

CORAM : S. G. MEHARE, J.

DATE : 19-06-2023

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 C.R.No.189 of 2022 registered with Harsul Police Station, District Aurangabad, for the offences punishable under Sections 307, 323, 504, 506, 114 and 302 read with Section 34 of the Indian Penal Code.
3. Admittedly, the applicant was 51% physically challenged. The alleged incident was captured in the CCTV footage, however, nothing adverse is noticed against the applicant in the CCTV footage. Even the body gesture or instigating to the co-accused were not captured in CCTV footage. The allegations against him were that he had borrowed the loan from the deceased and the

deceased asked him to repay the money. Then the incident happened.

4. Perused the chargesheet. Considering allegations against the applicant, the prosecution appears to have no direct evidence against the applicant that he was playing active role in the alleged incident. Nothing is to be recovered from him. Hence, he deserves bail. Hence, the order :-

- i) Bail application is allowed.
- ii) Applicant Manoj @ Rupesh Madhav Bankar be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in C.R.No.189 of 2022 registered with Harsul Police Station, District Aurangabad for the offences punishable under Sections 307, 323, 504, 506, 114 and 302 read with Section 34 of the Indian Penal Code, on the conditions that,
 - a) He shall not tamper with the prosecution witnesses.
 - b) He shall attend the trial on each and every effective date.

**(S. G. MEHARE)
JUDGE**