

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

27 BAIL APPLICATION NO.995 OF 2023

HANUMAN SUBHASH NIKAM
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Khandare N. B.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 26.06.2023

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.88 of 2023, registered at Talwada Police Station, District Beed, for the offences punishable under Sections 307, 329, 342, 324, 323, 143, 147, 148, 149, 120-B, 504, 506 of the IPC.
3. There are two crimes of the same incident. The complainant Prakash Rathod, at whose report, Crime No.88 of 2023 is registered, is co-accused in Crime No.87 of 2023. It is alleged that he and one deceased Rameshwar Rathod were confined in a room of backside of the hotel of co-accused Pappu. All the accused, who are common in both crimes,

except this crime, assaulted the deceased and the complainant with waist belt. Due to the assault, Rameshwar Rathod died and for his death separate crime bearing No.87 of 2023 has been registered.

4. As far as the present crime No.88 of 2023 is concerned, complainant Prakash Rathod alleged that the present applicant and co-accused assaulted him and he had suffered injuries. The injury report reveals that the first informant Prakash Rathod had suffered simple injuries on his back, right thigh, forearm, joint elbow and left palm. The alleged waist belt has been recovered. Considering the nature of the injuries suffered by the injured and this being an independent crime, the further detention of the applicant not required in this crime. Therefore, he deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **HANUMAN SUBHASH NIKAM** 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.88 of 2023, registered at Talwada Police

Station, District Beed, for the offences punishable under Sections 307, 329, 342, 324, 323, 143, 147, 148, 149, 120-B, 504, 506 of the IPC, on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-