

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1039 OF 2023
WITH APPLN/2289/2023 IN BA/1039/2023

1. Shivnath Baburao Garje, Age 27 years,
2. Gahininath Baburao Garje, Age 24 years,
Both Occu. Driver, R/o. Kapsi, Taluka Ashti,
District Beed .. Applicants

Versus

The State of Maharashtra
Through Officer Incharge,
Police Station Amalner, District Beed .. Respondent

...
Advocate for Applicants : Mr. Sudarshan J. Salunke
APP for Respondent/State : Ms. V. N. Patil Jadhav
Advocate for first informant : Mr. Shashikant E. Shekade
...

CORAM : S. G. MEHARE, J.

DATE : 04-07-2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for respondent No.1/State and the learned counsel for the first informant/injured
2. The applicants are seeking bail in C.R.No.0038 of 2022 registered with Police Station Amalner, District Beed, for the offences punishable under Sections 147, 149, 323, 325, 307, 504, 506, 148 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, 1951.

3. The allegations reveal that there were political differences. The incident happened in the village fair. The injured have suffered the injuries as alleged. However, the weapons allegedly used in the crime have been recovered from the co-accused. The investigation against the applicants has also been completed. The trial may take its time. Considering the facts in toto, the Court is of the view that detaining the applicants in jail would serve no purpose. Hence, the order :-

- i) Bail application is allowed.
- ii) Applicants Nos. (1) Shivnath Baburao Garje and (2) Gahininath Baburao Garje, be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount each, in C.R.No.0038 of 2022 registered with Police Station Amalner, District Beed, for the offences punishable under Sections 147, 149, 323, 325, 307, 504, 506, 148 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, 1951, on the conditions that,
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall stay away from the village Kapsi, Taluka Ashti, District Beed, for five months from the date of their release.
- iii) Criminal Application No.2289 of 2023 stands disposed of.

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