

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

BAIL APPLICATION NO.1061 OF 2023

1. Somnath Satish Mohite
2. Rohit Ashok Supare
3. Jakir Abbas Pathan ...Applicants

VERSUS

The State of Maharashtra ...Respondent

...
Mr. Mazhar A. Jahagirdar, Advocate for the applicant.
Mr. K.S. Patil, APP for the respondent-State.

...
CORAM : S.G. MEHARE, J.
DATED : JULY 13, 2023

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants are seeking bail in Crime No.418 of 2023 registered with Shevgaon Police Station, District Ahmednagar for the offence punishable under Section 307, 353, 332, 333, 336, 143, 147, 148, 149, 427 of the Indian Penal Code, Section 4/25 of Indian Arms Act, Section 7 of the Criminal Law (Amendment) Act and Section 3(1) of the Prevention of Damage to Public Property Act.
3. It is a case of riot. The incident happened during the rally. The rally turned into unlawful assembly. Except the allegations against the applicants that they were in collusion with each other for giving slogans with an intent to create hatred in two groups, there is

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nothing against them. No weapons have been recovered from the present applicants. Many persons from both communities have been arrested. The incident happened on 15.05.2023; hence, it may be presumed that there is normalcy in the town where the incident happened. Testing the specific role of the accused in riot is normally difficult. There were no antecedents to the discredit of the applicants. No purpose would be served keeping the applicants behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicants, (1) Somnath Satish Mohite (2) Rohit Ashok Supare and (3) Jakir Abbas Pathan, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount each in connection with the above crime, on the conditions that they shall not tamper with the prosecution witnesses.
- (iii) The applicants shall co-operate with the investigating officer as and when called on written notice, till conclusion of the trial.
- (iv) The applicants shall maintain law and order in Shevgaon City.
- (v) The applicants shall keep away from instigating people from any community, till conclusion of the trial.

(S.G. MEHARE, J.)