

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

BAIL APPLICATION NO.1229 OF 2023

**YOGESH KAILASH LANDGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

AND

BAIL APPLICATION NO.1166 OF 2023

**RAKESH RAJENDRA BARI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

**Advocate for Applicants : Mr. M.G. Kochar
APP for Respondent: Mrs. Vaishali N Patil Jadhav**

....

CORAM : S. G. MEHARE, J.

DATE : 19.07.2023

PER COURT :

1. Heard the learned counsel for the applicants and the learned A.PP for the respondent State.
- 2, In Criminal Bail Application No. 1229 of 2023 leave granted to delete respondent No.2.
3. The applicants are seeking bail in Crime No. 214/2023 registered with Amalner Police Station, Amalner, District Jalgaon for the offence punishable under Sections 307, 353, 332, 333, 336, 337, 153-A, 143, 147, 148, 149, 323, 504, 506 of the Indian Penal Code and

Sections 4 read with Section 25 of the Arms Act and Section 3 of the Prevention of Damages to Public Property Act and Sections 7 of the Criminal Law Amendment Act 1932.

4. It is a case of riot. Many persons were involved in the crime. The applicants were arrested on the day of the incident. There was mob gathered at the spot. In this case, the allegations have been made that two communities were fighting and they committed the riot. There was stone pelting between two groups. The police tried to control the riot and they have injured. Considering the material progress in the investigation and the role attributed to the applicants, it would be inappropriate to keep them behind bars for uncertain period. Hence, the following order :-

ORDER

- (i) The applications are allowed.
- (ii) The applicant Yogesh Kailash Landge in (B.A. No 1229 of 2023), applicant No.1 Rakesh Rajendra Bari, applicant No.2 Sachin @ Gopi Vibhakar Kasar, applicant No.3 Kunal Rajendra Bhavsar and applicant No.4 Ishwar Kailash Landge in (B.A. No. 1166/2023) be released on bail on executing P.B. and S. B. of Rs. 50,000/- each with one solvent surety in the like amount in connection with the above crime, on the conditions that :-

- (a) They shall not tamper with the prosecution witnesses.
- (b) They shall not enter Amalner town, District Jalgaon for the period of three months from the date of their release.
- (c) They shall attend the police station as and when called by the Investigating Officer on written notice, till filing charge sheet against them.
- (d) If they enter Amalner town on written notice of the police, that shall not be a breach of the bail condition.

(S. G. MEHARE)
JUDGE

ysk