

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

BAIL APPLICATION NO.1285 OF 2023

NARAYAN @ ARUN SUBHASH SALVE  
VERSUS

THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Mahesh P. Kale

APP for Respondent : Mr. Y. G. Gujrathi

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**CORAM : S. G. MEHARE, J.**

**DATE : 08-08-2023**

**PER COURT :-**

1. Heard the learned counsel for the applicant and the learned A.P.P. for respondent.
2. The applicant seeks bail in C.R.No.44 of 2023 registered with Osmanpura Police Station, District Aurangabad, for the offences punishable under Sections 307, 323, 504 of the Indian Penal Code and Sections 4/25 of the Arms Act and Section 135 of the Maharashtra Police Act.
3. The learned counsel for the applicant would submit that considering the allegations levelled against the applicant, the offence under Section 307 of the Indian Penal Code is not made out. The cause for the quarrel was unnatural. In the said incident, the applicant also suffered the injuries. Since there were crimes registered against the applicant, grave sections have been applied against him. Out of 13 crimes, in 4 cases he has been acquitted and in two cases he has been convicted. Considering the facts of the case, he may not be denied bail only on the ground of his past

record. The applicant is languishing in jail since March-2023. Hence, he may be granted bail.

4. The learned A.P.P. would submit that the applicant time and again has been involved in the body offences. He was aggressive and his presence in the society is not safe. In the case at hand, he tried to assault on the neck of the injured, but he could avoid it by hand and his palm was cut. The past history of the applicant shows his conduct. The nature of injuries is not the criterion to attract Section 307 of the Indian Penal Code. The offence is serious. Considering the conduct of the applicant, the injured and other witnesses may not be safe. Hence, he does not deserve bail.

5. Perused the papers.

6. Admittedly, there were many crimes registered against the applicant, out of which, in four cases he has been acquitted and in two cases he has been convicted and seven crimes are pending including present crime. Admittedly, the applicant is involved in the body offences using deadly weapon. He was granted bail, but he did not show improvement in his conduct and good behaviour. The apprehension of the learned A.P.P. that releasing him would be harmful to the life of injured and the witnesses, appears reasonable.

7. For the above reasons, the application stands dismissed.

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