

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

BAIL APPLICATION NO.1364 OF 2023

Raju S/o Sahebrao Ghule,
Age: 39 years, Occu. Labourer,
R/o. Bharat Nagar, Garkheda Parisar,
Aurangabad. ..Applicant

Versus

The State of Maharashtra,
Through Police Station,
Pundlik Nagar, Aurangabad. ..Respondent

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Mr. Sunil B. Surse, Advocate for the Applicant.
Mr. S. P. Deshmukh, AGP for Respondents-State.

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 21st AUGUST, 2023.

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.

2. The applicant is seeking bail in Crime No.169 of 2023 registered with Pundlik Nagar Police Station, District Aurangabad for the offence punishable under Section 195-A, 504 and 506 of Indian Penal Code.

3. The learned Advocate appearing for the applicant submits that the applicant is falsely implicated. There is no injury to the complainant. The ingredients of Section 195-A of the Indian Penal Code do not attract in the facts of the case. The applicant is behind the bar for more than three months. The

charge-sheet is filed and there is no purpose of keeping him behind the bar.

4. The learned APP however, opposes the application contending that the applicant is likely to repeat the similar offence in future.

5. The allegation in FIR is that the applicant has threatened the complainant with intention to prevent her daughter from recording the evidence before the Court in pending criminal prosecution against son of accused. There is no injury or assault. The truthfulness of the allegation is matter of trial.

6. Apparently, investigation is over and no purpose would serve by keeping the applicant behind the bar. Charge-sheet is filed. The interest of the prosecution can be protected by imposing certain condition. Hence, the following order :

ORDER

(i) Bail Application is allowed.

(ii) The applicant, Raju Sahebrao Ghule be released on bail in Crime No.169 of 2023 registered with Pundlik Nagar Police Station, District Aurangabad for the offence punishable under Section 195-A, 504 and 506 of Indian Penal Code on executing P.B. and S.B. of Rs.25,000/- (Rs.Twenty Five Thousand only) with one solvent surety of the like amount on following condition:

a. The applicant shall not tamper with the prosecution evidence in any manner.

b. The applicant shall not enter within the limits of Anand Nagar, till the conclusion of Trial.

(iii). Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/August-2023