

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.1385 OF 2023**

Vilas Raosahbe Dhupe,
Age: 39 years, Occu. Agri.
R/o. Village Valkheda,
Tq. Ambad, Dist. Jalna

..Applicant

Versus

The State of Maharashtra Through,
Police Station Officer, Ambad Police Station,
Ambad, Dist. Jalna.

..Respondent

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Mr. Aakash V. Bagal, Advocate for the Applicant.
Mr. S. P. Deshmukh, APP 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.515 of 2023 registered with Ambad Police Station, Dist. Jalna for the offence punishable under Section 307, 324, 323, 143, 147, 148, 149, 504 and 506 of Indian Penal Code.
3. On 05.07.2023, the crime has been registered on information received to Ambad Police Station stating that the applicant/accused alongwith other accused persons assaulted the complainant and others. The applicant has been arrested in pursuance of the said crime.

4. The learned Advocate appearing for the applicant submits that there is dispute regarding cultivation of agriculture land. There are counter complaints. The applicant has been falsely implicated. He would further submit that investigation is practically over and further custody of the applicant would not be necessary.

5. The learned APP submits that there are direct allegations against the applicant. Using iron rod he has caused head injury to Satish Dhupe. Relying upon the MLC certificate, he points out that the nature of injury is grievous. The diffuse mild cerebral oedema has been seen in C.T. brain. He would, therefore, submit that the release of applicant may hamper the prosecution case, so also the investigation.

6. Having considered the submissions advanced, apparently there is dispute over the cultivation of the agriculture land. There are no criminal antecedents. The applicant is behind the bar for more than one and half months. Although, there are direct allegations against him, further custody would not be necessary. He can be released on bail by imposing certain condition. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Vilas Raosaheb Dhupe be released on bail in Crime No.515 of 2023 registered with Ambad Police Station, Dist. Jalna for the offence punishable under Section 307, 324, 323, 143, 147, 148, 149, 504 and 506 of Indian Penal Code on executing P.B.

and S.B. of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount on following conditions:

- a. The applicant shall not tamper with the prosecution evidence in any manner.
- b. The applicant shall attend the concerned police station as and when called on written notice by the investigating officer and in any case once in a week i.e. every Monday between 11.00 am to 2.00 pm, till filing the charge sheet.
- c. The applicant shall not enter into the village Valkheda, Tq. Ambad, Dist. Jalna till filing of the charge-sheet.

(iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE