

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

40 BAIL APPLICATION NO.1393 OF 2023

SATISH ASARAM DHUPE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. S.B. Rajebhosale
APP for Respondent: Mr. S.P. Deshmukh

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: August 28, 2023

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PER COURT :-

1. The applicant is seeking regular bail in connection with Crime No.0516 of 2023 registered with Ambad police station, Tq. Ambad, District Jalna for the offences punishable under sections 307, 324, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code.

2. Investigation was set in motion on the basis of the information given by one Vilas Dhupe. In nutshell, the allegations in the FIR states that there is dispute over cultivation of the agricultural land between the family of the informant and family of the accused. On 5.7.2023 quarrel started between the family members. It is alleged that the applicant Satish Dhupe inflicted the injury using knife on the person of Baliram, who was seriously injured. It appears that there are counter complaints.

3. Mr. Rajebhosale, learned advocate for the applicant would submit that although there are allegations of multiple blows inflicted by the applicant, corresponding injuries are absent. Recovery of the weapon is made from the spot. The applicant is behind bar since 11.7.2023. There are no criminal antecedents. The applicant will abide by the conditions, if imposed by this Court and cooperate with the investigation.

4. Learned A.P.P. strongly opposes the prayer for grant of bail. He would submit that medical certificate clearly indicate that grievous injury has been inflicted by the applicant by using deadly weapon. He would submit that release of the applicant is likely to hamper the investigation. Further, the applicant is likely to tamper the evidence.

5. Having considered the submissions advanced, apparently, the quarrel arose on account of cultivation of the agricultural land. Family of the informant as well as family of the accused persons have lodged the counter complaints and persons from both sides have suffered injuries. Apparently, there are no criminal antecedents. The incident took place at the spur of moment. Although one of the person has suffered grievous injury, no purpose would served by continuing the detention of the applicant. The interest of the prosecution can be protected by incorporating the appropriate conditions. Hence, case is made out for grant of bail. In the result, following order is passed.

ORDER

- I. Criminal Bail Application is hereby allowed.
- II. The applicant - Satish Asaram Dhupe be released on bail in connection with Crime No.0516 of 2023 registered with Ambad police station, Tq. Ambad, District Jalna for the offences punishable under sections 307, 324, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code on furnishing P.R. Bond in the sum of Rs.50,000/- (Rs. Fifty Thousand) with one surety of the like amount on the following conditions :-
 - a] The applicant shall not tamper with the prosecution evidence in any manner.
 - b] The applicant shall visit police station Ambad on every Monday between 11 am to 2 pm till filing of the charge sheet.
 - c] The applicant shall not enter the village Valkheda, Tq. Ambad, District Jalna till filing of the charge-sheet.
- III. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR J.)

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