

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

936 BAIL APPLICATION NO.1582 OF 2023

GANESH RAJARAM BHISE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Ms. A.A. Lomte
APP for Respondent : Mr. K.S. Patil

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: September 13, 2023

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PER COURT :-

1. The applicant is seeking regular bail in connection with Crime No.243 of 2023 registered with Majalgaon (City) police station, Dist. Beed for the offence punishable under Sections 364, 323, 506, 34 of IPC.

2. The investigation was set in motion on the basis of information given by one Parmeshwar Levade alleging that there was some financial transaction between his father, Ramesh Ware and Ganesh Rajaram Bhise. It is further alleged that the amount which was due was not returned by said Ganesh Bhise. On 14.7.2023, said Ganesh Bhise called the informant to his shop. Thereafter, he took the informant in his car in which, other 3 persons were already boarded. It is alleged that the accused Ganesh Bhise drove the car and other accused persons started beating him. It is further alleged that a friend of the informant dialed the police and gave information that the applicant has been forcibly carried in the

car. Due to said information, the police halted the car at Gadhi and took the informant and other accused to the police station. After recording statement of the informant, the offence has been registered. Immediately, the applicant/accused herein arrested and he is behind bars since 15.7.2023. His prayer for grant of bail has been rejected by the Sessions Court. Hence, this application.

3. Mrs. Lomte, learned counsel appearing for the applicant would submit that false story has been hatched by the informant and the applicant has been falsely implicated. She would submit that there is nothing on record to show any financial transaction between the applicant and the informant. Even though there are allegations of assault to informant, there is no supporting evidence. She would submit that the applicant is behind bar from 16.7.2023. Investigation in the matter is concluded.

4. The learned APP informs that charge-sheet is filed. However, vehemently opposes the application.

5. Having considered the submissions advanced, it is apparent that there is nothing to pinpoint financial transaction between the informant and the applicant Ganesh. There are allegations of assault to the informant in car, however, no supporting medical evidence is available on record. The informant alongwith the accused persons were halted by the police at Gadhi and they are taken into custody. It appears that there is previous dispute between the informant and the

applicant. Possibility of false implication as expressed by learned advocate for applicant cannot be ruled out. Apparently, this court vide order dated 29.8.2023 released the co-accused by granting bail. Investigation is completed. Charge-sheet is filed. Further detention of the applicant would not be necessary. Hence the case is made out for grant of bail. Hence, the order.

ORDER

- i. Criminal Bail Application is hereby allowed.
- ii. The applicant - Ganesh Rajaram Bhise be released on bail in connection with crime No.243 of 2023, registered at Majalgaon City Police Station, Dist. Beed for the offence punishable under Section 364, 323, 506, r/w. 34 of IPC, on his furnishing Personal Bond and Surety Bond in the sum of Rs. 50,000/- (rupees fifty thousand) on the following conditions :-
 - a] The applicant shall not tamper with the prosecution evidence in any manner.
 - b] The applicant shall attend each and every effective dates during the course of the trial.
- iii. The application is accordingly disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

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