

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

8 BAIL APPLICATION NO.1625 OF 2023

SUNIL HARISHCHANDRA RAJPUT
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Rajendrraa Deshmukkh a/w
Mr. S. V. Deshmukh i/b Mr. Pande Balraj Prakash.
APP for Respondent-State : Mr. S. P. Tiwari.
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CORAM : S. G. MEHARE, J.
DATE : 12.10.2023

PER COURT :-

1. Heard the learned senior counsel for the applicant and the learned APP for the respondent-State.
2. The applicant seeks bail in Crime No.153 of 2023, registered at Waluj Police Station, District Aurangabad, for the offences punishable under Sections 23, 25, 3B of the P. C.P. N.D.T. Act and Section 34 of the IPC.
3. The allegations against the applicant are that he has assisted the main accused. The main accused has been granted bail. In an earlier crime registered against the applicant, he was granted anticipatory bail. It has been submitted that after his arrest, he suffered paralysis and undergoing the treatment. His father is also at deathbed. It has also been submitted that

the maximum punishment for the offences levelled against the applicant is three years. He has been languishing in jail for last four months. Nothing is to be recovered from him. Hence, he may be granted bail.

4. Learned APP has expressed an apprehension that the applicant is repeatedly involved in a serious crime. Therefore, bail may not be granted.

5. Perused the papers. There was a crime registered against him before this crime. However, in that crime, he was granted anticipatory bail. Thereafter, again he has been involved in a similar crime. However, considering the term of the imprisonment and his health, it may not be appropriate to keep him behind bar. The apprehension of the prosecution that the applicant may involve again in the similar crime may be guarded by imposing conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SUNIL HARISHCHANDRA RAJPUT** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, in Crime

No.153 of 2023, registered at Waluj Police Station, District Aurangabad, for the offences punishable under Sections 23, 25, 3B of the P. C.P. N.D.T. Act and Section 34 of the IPC, on the following conditions :

- (a) The applicant shall not involve in a similar crime. If he is found involved in a similar crime, the prosecution may file an application for cancellation of bail.
- (b) He shall attend the Police Station on First Tuesday of each month between 10.00 a.m. to 1.00 p.m. till the conclusion of the trial.
- (c) The conditions are imposed with a clear understanding given to the applicant that he shall not unnecessarily file an application for relaxing the conditions.

(S. G. MEHARE, J.)

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vmk/-