

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

13 BAIL APPLICATION NO.1955 OF 2022

**PANDURANG SHANKAR BORUDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Karpe Rahul R.

APP for Respondent State: Mr. K. S. Patil

Advocate assists to PP : Mr. M. S. Karad

CORAM : S. G. MEHARE, J.

DATE : 2nd JANUARY, 2023

ORDER:

1. After hearing the learned counsel for the applicants and learned APP, this Court expressed disinclination to grant bail to applicant No.1 Pandurang Shankar Borude and applicant No.2- Adesh Pandurang Borude. The learned counsel for the applicants, on instructions, seeks leave to withdraw their application. Leave granted. Their application stands dismissed as withdrawn.

2. As far as allegations against applicant No.3 Sushant Pandurang Borude are concerned, it has been alleged against him that he assaulted the mother of the first informant with iron rod on back and thigh. However, the injury report of his mother does not disclose injuries on back and thigh.

3. The applicant Sushant has a case of false implication since there was civil dispute over the possession of the field which was owned by the family of the complainant. The complainant has also the case of money lending with one Vijay Jagtap and applicant No.1 Pandurang Borude. It has been alleged that the borrowed money was repaid with interest but still the field was not re-transferred by way of sale deed. It has also been alleged that the money lender Vijay Jagtap transferred the said field in the name of applicant No.1 - Pandurang Borude. There are counter reports against each other. However, considering the role attributed to the applicant- Sushant and material investigation against him, he may be granted bail. Hence the order:

O R D E R

- i. The bail application is partly allowed.
- ii. The applicant Sushant s/o Pandurang Borude be released on bail on executing P. R. and S.B. of Rs.50,000/- with one solvent surety of the like amount in connection with Crime No. 0732/2022 registered with Nagar Taluka Police Station, District Ahmednagar for the offences punishable under sections 307, 143, 147, 148, 149 of the Indian Penal Code and section 4/25 of the Arms Act, on the condition that he shall not enter the village till filing of the charge-sheet and he shall not tamper with the prosecution evidence.

(S. G. MEHARE, J.)

JPChavan