

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

913 BAIL APPLICATION NO.2005 OF 2022

NILESH @ MAGAN RATILAL BHADANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Chatterji Joydeep
APP for Respondents: Mr. S. B. Narwade
Advocate for respondent No.2 : Mr. G.R. Sayed
....

CORAM : S.G. MEHARE, J.
DATE : JANUARY 19,2023

PER COURT :

1. Heard the learned counsel for the applicant, the learned A.P.P for the respondent No.1 and the learned counsel for respondent No.2/victim.
2. After hearing, the Court expressed disinclination to grant bail to applicant No.1 Nilesh @ Magan and applicant No.2 Sagar. Learned counsel for the applicant, on instructions, seeks leave to withdraw the application. Leave granted. The application stands dismissed as withdrawn.
3. The role attributed to the applicant Yogesh, Anil and Satish is restricted to holding the deceased and general

allegations of assault. The injury sustained to the deceased and his cause of death is not dispute. However, considering the fact, it appears that, the deceased did not suffer injury due to act of these applicants that cause the death. Applicants Yogesh and Satish are the students and applicant Anil is a labourer. The charge sheet has been filed. Nothing appears to have been recovered from them. They have no antecedents. Considering the nature of quarrel and the nature in which the incident happened, they are entitled to bail on certain conditions. Hence, the following order :-

ORDER

- i) The application is allowed.
- (ii) Applicant No.3 Yogesh Bhuraji Khairnar, applicant No.4 Anil Ratan Khairnar, applicant No.5 Satish Panurang Jadhav, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) each with one solvent surety of the like amount each, in Crime No. 0173/2022, registered with Nizampur Police Station, District Dhule for the offences punishable under Sections 302, 307, 354, 354(A), 143,147,148, 149 of the Indian Penal Code and Sections 12 and 18 of the Protection of Children From Sexual Offences Act, 2012. on the conditions that :-
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall not threat any witness.
 - (c) They shall remain away from the locality where the

incident happened for a period of three months form
the date of their release.

(S. G. MEHARE)
JUDGE

ysk