

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.2116 OF 2022

ROHAN RAJU SALVE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondent : Mr. S. P. Deshmukh
...

CORAM : S. G. MEHARE, J.

DATE : 05-01-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. Initially, the applicant was named in the first information report as the protector of the injured. However, after two months, a statement of one person who was also protecting the injured namely Rohit Jadhav gave statement under Section 164 of the Code of Criminal Procedure and alleged that the applicant is also one of the assailants.
3. It has been argued that the applicant has been arraigned as accused afterthought. That *postmortem* report does not show serious injuries. The cause of death is yet to be ascertained. No role is attributed to the applicant, but he has been falsely implicated in the crime.

4. Perused the record. It shows that the applicant was named in the first information report and he was rescuing the deceased from the other accused. Belated allegations of his involvement in the crime have been made. The cause of death is yet to be ascertained. The postmortem report does not show serious injuries. The material investigation against the applicant has been completed. The applicant is a young boy having no antecedents to his discredit. In view of that matter, the application deserves to be allowed. Hence, the order;

- i) The application is allowed.
- ii) Applicant Rohan Raju Salve be released on bail, on furnishing PB and SB of Rs.50,000/- with one solvent surety of like amount, in C.R.No.345 of 2022 registered with Satara Police Station, District Aurangabad, for the offence punishable under Sections 302, 323, 504, 506 and 201 read with Section 34 of the Indian Penal Code, on the condition that he shall not tamper with the prosecution witnesses.

**(S. G. MEHARE)
JUDGE**

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