

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

10 BAIL APPLICATION NO.2000 OF 2023

AJIT TANAJI ZIRMIRE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Avinash N. Irpatgire
APP for Respondent : Mrs P. J. Bharad

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: December 06, 2023

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PER COURT :-

1. The applicant seeks regular bail in connection with Crime No.416 of 2023 registered with AUSA police station, Tq. AUSA, District Latur for the offences punishable under sections 307, 341, 324, 327, 323, 504, 506, 427, 143, 147, 148 and 149 of the Indian Penal Code.

2. Investigation was set in motion on the basis of the information given by Sukumarbai Saudagar Salunke, who alleges that there is dispute between Bharatbai i.e. her sister-in-law and one Adinath Bodke on account of plot situated at Yakatpur Road AUSA. On 4.10.2023, the informant came to know that the accused Adinath, his son Pandurang alongwith other persons damaged the shed of the Bharatbai and caused her loss worth Rs.50,000/-, so also they have assaulted Bharatbai using Koyta i.e. sickle. It is further alleged that the accused Pandurang inflicted blow of knife on right shoulder of Shivshankar, who sustained serious injury.

3. It is further alleged that at about 8 pm while the injured persons were shifted to the hospital, accused Adinath intercepted Jeep, accused Pandurang and other persons arrived by motorcycle and again attacked the informant and others. It is alleged that accused Adinath gave knife blow to the informant, by which she sustained injury on left side rib and left hand. There are further allegations against other accused persons. So far as allegations against the applicant is concerned, he is not attributed role in the first part of the incident. He is alleged to have assaulted Kesarbai using knife on her left hand. On the basis of the aforesaid information, crime no.416 of 2023 came to be registered with police station, Ausa. The applicant came to be arrested on 5.10.2023. Since, then he is behind bar.

4. Mr. Irpatgire, learned advocate appearing for the applicant would submit that applicant has been falsely implicated. Perusal of the FIR do not show that the applicant has any concern with the internal dispute with the informant's family and other accused persons. He would submit that his name has been implicated on account of political reasons.

5. Learned A.P.P. strongly opposes the prayer for grant of bail. She would submit that there is recovery of knife at the instance of the accused. His name is specifically mentioned in the FIR. Investigation in the matter is in progress. Therefore, she urges to reject the application for bail.

6. Having considered the submissions advanced and after perusal of the police papers, it seems that the medical certificate regarding injuries suffered by Kesarbai is not made part of the police papers. On instructions, learned APP informs that she was primarily treated and immediately discharged. It is therefore suggested that Kesarbai has suffered simple injuries. Further, from the contents of the FIR, it cannot be gathered that how the applicant arrived at the spot and what was his intention to interfere between the quarrel that was going on. Veracity of the allegations in the FIR would be the subject matter of the trial. However, looking to the fact that corresponding medical record regarding injuries suffered by Kesarbai is not available, further detention of the applicant need not be continued. In that view of the matter, case is made out for grant of bail. Hence, the order.

O R D E R

- i. Criminal Bail Application is hereby allowed.
- ii. The applicant- AJIT TANAJI ZIRMIRE be released on bail in connection with Crime No.416 of 2023 registered with AUSA police station, Tq. AUSA, District Latur for the offences punishable under sections 307, 341, 324, 327, 323, 504, 506, 427, 143, 147, 148 and 149 of the Indian Penal Code on his furnishing P.B. & S.B. of Rs.50,000/- (Rs.Fifty Thousand) on the following conditions :-
 - a] The applicant shall not tamper the prosecution evidence.

- b] The applicant shall attend the concerned police station once in a week i.e. on every **Friday** between 10 am to 2 pm till filing of the charge sheet.
 - c] The applicant shall not indulge in similar activities.
- iii. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR)
JUDGE

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