

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

BAIL APPLICATION NO.2214 OF 2022

SANTOSH BABURAO KHARAD

VERSUS

THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. R.V. Gore
APP for Respondents: Mr. S. P. Deshmukh

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

PER COURT :

1. Heard the learned counsel for the applicant and learned A.P.P. for the respondent-State.
2. The learned counsel for the applicant would argue that the persons from the group of the applicant have been seriously injured in the assault by the complainant and his associates. One of the injured is still in hospital. It was a free fight between two groups. However, general allegations have been levelled against the applicant that he also assaulted with Iron rod and sticks.
3. The learned A.P.P. would submit that the offence is serious. The investigation is in progress.
4. The applicant is behind bar since 5th December, 2022. Nothing has been recovered from him. Considering the role attributed to him and progress in investigation about

him it would be unreasonable to keep the applicant behind bar. However, the interest of prosecution may be safeguarded by imposing certain conditions. Hence, the following order :-

ORDER

- i) The application is allowed.
- (ii) Applicant Santosh Baburao Kharad, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount, in Crime No. 440/2022, registered with Paithan Police Station, Tq. Paithan District Aurangabad for the offences punishable under Sections 307,324,143,144,147,148,149,506 of the Indian Penal Code on the conditions that :-
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) He shall attend the concerned police station on every Tuesday and Friday between 11 a.m. to 1.00 p.m. till filing the charge sheet.
 - (c) He should not involve in the similar offence.
 - (d) He shall stay away from the village Solanapur-Rahatgaon, Taluka Paithan, District Aurangabad for a period of three months from the date of his release.

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