



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.2047 OF 2023**

KANAGAR PARASRAM KALE
VERSUS
THE STATE OF MAHARASHTRA

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Mr. N. S. Ghanekar, Advocate for the Applicant.
Mr. S. A. Gaikwad, APP for Respondents-State.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 07th DECEMBER, 2023.**

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.191/2023 registered with Shanishingnapur Police Station, Tq. Nevasa, Dist. Ahmednagar for the offences punishable under Sections 143, 147, 148, 149, 452, 427, 327, 324, 323, 504 and 506 of the Indian Penal Code.

2. The investigation was set in motion on the basis of the information given by one Ramesh Pavalas Shinde alleging that on 10.10.2023 the group of 50 to 60 accused persons moved in the field at Gut No.258 and asked the informant to vacate the field, since they have purchased the said property. When informant replied that the land is his ancestral property and refused to leave, the accused persons hurled abuses and then raised an attack of sticks against him and his family members. It is further alleged that the accused persons came with two tractors and destroyed cotton crops. Further they stolen household articles, gold ornaments and cash alongwith two mobile phones, one cupboard and food grains. Apparently, the applicant is not named in the FIR.

3. The learned APP submits that there is recovery of household articles from the applicant, which shows his complicity

in commission of offence. Pertinently, so called articles recovered from the applicant are stated to be iron cot, iron rack, cupboard, spray pump, gas stove, etc. Out of these, only reference of cupboard finds place in the FIR without its particulars so as to identify the same.

4. Mr. Ghanekear, learned Advocate makes a statement that the applicant is unconcerned with land dispute which given rise to the incident.

5. The learned APP on the basis of the police papers could not make positive statement showing concern of the applicant with the land in question or the interse dispute. Merely on the basis of so called recovery of the articles, it is difficult to bring home guilt against the applicant. The applicant is arrested on 12.10.2023. Since then, he is behind the bar. The investigation in the matter is practically over. Further detention of the applicant would not be necessary. Hence, case is made out for grant of bail. Hence, the following order:

ORDER

(i) Bail Application is allowed.

(ii) The applicant, Kanagar S/o Parasram Kale, be released on bail in Crime No.191/2023 registered with Shanishingnapur Police Station, Tq. Nevasa, Dist. Ahmednagar for the offences punishable under Sections 143, 147, 148, 149, 452, 427, 327, 324, 323, 504 and 506 of the Indian Penal Code on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) each on following condition:

a. The applicant shall not tamper with the prosecution evidence in any manner.

b. The applicant shall visit concerned Police Station once in a week i.e. on every Sunday between 10.00 am to 02.00 pm till filing of the charge-sheet.

c. The applicant shall attend each and every date of hearing before the Trial Court.

(iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE