



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

944 BAIL APPLICATION NO. 2223 OF 2023

AKSHAY @ SANTOSH AJINATH KATARE

....Applicant

VERSUS

THE STATE OF MAHARASHTRA

.....Respondent

...

Advocate for Applicant : Mr. R.R. Karpe

APP for Respondents: Mr. A.S.Shinde

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CORAM : S.G. CHAPALGAONKAR, J.

DATE : 21.12.2023.

PER COURT :

1. The applicant seeks regular bail in connection with Crime No. 709 of 2023 registered with Karjat police station, District Ahmednagar for the offences punishable under sections 307, 504, 506 of the Indian Penal Code.

2. Investigation was set in motion on the basis of the information given by Vijay Sanjay Katare who alleges that he was proceeding along with one Yogesh Sudam Jori and Ramchandra Vilas Sherkhane on their motorcycle. While they were passing from Jalkewadi Shivar the accused/applicant

intercepted their motorcycle and demanded money for consuming liquor. On refusal to acced his demand, applicant/accused inflicted blow of knife on his person. Although the applicant was intending to stab on neck, the informant received injuries on wrist of the right hand and left thumb. On the basis of aforesaid information Crime No. 709 of 2023 came to be registered against applicant for aforesaid offences. The applicant has been arrested on 10.11.2023 and since then he is behind the bar.

3. Mr. Karpe, learned Advocate for the applicant submits that the applicant has been falsely implicated in the aforesaid crime. The applicant is behind the bar for more than 6 weeks. The investigation in this matter is almost complete. The injuries suffered by the informant are not serious, hence he urges to release the applicant on bail.

4. The learned APP strongly opposes the prayer. He would submit that the applicant was holding deadly weapon in his hand and caused deadly assault on the informant. During the course of investigation incriminating article i.e. knife is recovered at the instance of the applicant. The possibility of

recurrence of the similar offence cannot be ruled out.

5. Having considered the submissions apparently there are allegations against the applicant. Prima-facie, it appears that he is the author of injuries suffered by the informant. However, the injuries are seen non vital part of body. The site of the injuries seen on the wrist and thumb of hand. From inception of incident intention to kill cannot be gathered at this stage. The applicant was immediately arrested and remanded to police custody. During course of investigation a knife is recovered from him. The investigation in the matter is practically over. Trial would take its own course. No criminal antecedents are reported to the discredit of the applicant. His further detention would not be necessary. Hence a case is made out for grant of bail on certain conditions. Hence the following order :

ORDER

- i. Bail Application is hereby allowed.
- ii. The applicant – Akshay @ Santosh Ajinath Katare be released on bail in connection with Crime No. 709 of 2023 registered with Karjat police station, District Ahmednagar for the

offences punishable under sections 307, 504, 506 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 Monday between 10.00 a.m. to 2.00 p.m. till filing of the charge sheet.
 - c] The applicant shall not indulged in similar criminal activities.
- iii. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR)
JUDGE

mahajansb/