



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 BAIL APPLICATION NO. 40 OF 2024

Sachin Lahu Chavan

..APPLICANT

-VERSUS-

The State of Maharashtra

..RESPONDENT

Advocate for Applicant : Mr. Salunke Sudarshan J.

APP for Respondent/State : Mrs.Pratibha J. Bharad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 26th MARCH, 2024.

PER COURT :-

1. The applicant is seeking bail under section 439 of the Criminal Procedure Code, 1973 (for short, "Cr.P.C."). The applicant has been arrested in connection with crime No.87 of 2023 registered with Police Station Talwada, Tq. Georai, Dist. Beed, for the offences punishable under sections 302, 201, 143, 147, 148, 149, 120-B of the Indian Penal Code.

2. The son of informant was assaulted by the applicant as he was frequently stalking his daughter. Rameshwar was assaulted by the applicant with stick, belt, wire, iron rod and bricks. The incident took place on 05.04.2023.

3. The learned advocate for the applicant submitted that the charge-sheet is filed. The applicant has roots in the society. Other co-accused are released on bail. There was no intention to kill the deceased. However, in the hit of anger, he was assaulted. Trial will take long period. He submitted to allow the application.

4. The learned APP for the respondent/State strongly opposed the application and submitted that there are eye witnesses to the incident. The applicant has brutally assaulted Rameshwar and there is prima facie strong evidence against the applicant. The applicant is booked for serious crime of murder for which life imprisonment can be granted. It is lastly prayed to reject the application.

5. Perused the charge-sheet, particularly the report and statements of the witnesses. Other co-accused are released on bail. However, the applicant is main accused. The investigation is over and custody of the applicant is not necessary. Trial will take long period. The applicant has no criminal antecedents. His presence can be secured in the trial. Considering his role and particularly subsequent conduct that after assault on Rameshwar, he took him to the hospital, the application deserves to be allowed on certain

conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant, in connection with crime No.87 of 2023 registered with Police Station Talwada, Tq. Georai, Dist. Beed, for the offences punishable under sections 302, 201, 143, 147, 148, 149, 120-B of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence in any manner.
 - b) The applicant shall not enter in village Poi Tanda, Tq.Georai, Dist. Beed, till the conclusion of the trial.
- III. If any breach of the above condition is noticed by the trial Court, the trial Court is at liberty to cancel the bail granted to this applicant without further reference to this Court.

(SANJAY A. DESHMUKH, J.)

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