



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

929 BAIL APPLICATION NO. 92 OF 2024

Rahul Anil Solunke

..APPLICANT

-VERSUS-

The State of Maharashtra

..RESPONDENT

...

Advocate for Applicant : Mr. R.V. Gore h/f Mr.Rathod Ganesh Amrut

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

Advocate for the complainant : Mr.P.P. More

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**CORAM : SANJAY A. DESHMUKH, J.**  
**DATED : 30<sup>th</sup> JANUARY, 2024.**

**PER COURT :-**

1. The applicant is seeking bail in connection with crime No.0312 of 2022 registered with Nilanga Police Station, Dist. Latur, for the offences punishable under sections 302, 307, 279, 143, 147, 148, 149, 504, 506 of the Indian Penal Code read with section 135 of the Maharashtra Police Act.

2. It is averred in the report that the applicant and other accused assaulted to Karan Bhimrao Solunke, who died in the incident and caused serious injuries to Deepak Solunke. Initially, they gave dash to the motorcycle of the injured and deceased and applicant and other accused assaulted them by stick, iron rod, stone etc. Therefore, the report was registered immediately after the

incident against the applicant and other accused.

3. The learned advocate for the applicant submitted that it is averred in the report that the applicant assaulted Deepak Karan Solunke. In the statement of the witnesses, it is mentioned that he assaulted Deepak in his back. The learned advocate for the applicant pointed out his injury certificate. There is no injury shown to his back. He pointed out that history mentioned in the said certificate is that due to collusion between two wheeler and four wheeler and later on history of alleged assault by known persons is mentioned in the report by different handwriting. The learned advocate for the applicant submitted that considering the role of this applicant, the application be allowed.

4. The learned APP for the respondent/State and the learned advocate for assisting to the prosecution strongly opposed the application and submitted that the applicant is involved in the serious crime of murder. The applicant and other accused hatched conspiracy to commit murder and caused injury. There was earlier enmity about which the case for murder is scheduled on that day itself. It is lastly prayed for rejecting the application.

5. Perused the charge-sheet. No doubt, the name of the applicant is mentioned in the report alleging that he assaulted with stick to Deepak Solunke. In the statement of witness Rahul Sidheshwar Solunke and other witnesses also they have stated that

this applicant assaulted on the back of Deepak and also on his two legs. However, the medico legal certificate of Deepak does not disclose any injury to his back. Considering the role of this applicant and fact that he has roots in the society, he will not flee away from the trial. Though he is witness in another case, the application deserves to be allowed on certain stringent condition. Hence, the following order.

#### O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No.0312 of 2022 registered with Nilanga Police Station, Dist. Latur, for the offences punishable under sections 302, 307, 279, 143, 147, 148, 149, 504, 506 of the Indian Penal Code read with section 135 of the Maharashtra Police Act, 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 into entire Nilanga Tahsil of District Latur till the decision of the trial except the dates

scheduled at Nilanga, for attending the case.

- c) If any breach of the conditions is noticed by the Investigating Officer and the prosecution, they are at liberty to file the application for cancellation of bail before the trial Court. The trial Court shall decide it on its own merits without further reference to the Court.

**(SANJAY A. DESHMUKH, J.)**

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