



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

BAIL APPLICATION NO. 214 OF 2024

SACHIN RAMESH SHELKE  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Shailendra S. Gangakhedkar  
APP for Respondent : Mr. D. J. Patil  
...

**CORAM : S. G. MEHARE, J.**

**DATE : 14-06-2024**

**PER COURT :-**

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant seeks bail in C.R.No.0073 of 2023 registered with Shivaji Nagar Police Station, District Nanded, for the offences punishable under Sections 302, 504 and 506 of the Indian Penal Code.
3. The incident happened on 12.02.2023. The deceased was taken to the hospital 17.02.2023. The mother of the deceased narrated the story of vehicular accident of the deceased. He was again taken to the hospital on 21.02.2023. The C.T. scan of his head was done and he was operated. However, on 22.02.2023, the injured died.

4. Learned counsel for the applicant submits that the report was lodged belatedly and it was afterthought. Many relevant statements from the chargesheet reveal that the first informant and his family are consistent that the deceased met with an accident and sustained head injury. The applicant has been falsely implicated in the crime. There are no antecedents to the discredit of the applicant. The so-called injury is possible in vehicular accident. The investigation has been completed. The applicant is languishing in jail since 06.03.2023.

5. Learned A.P.P. for the respondent opposed the application. He submits that there were eyewitnesses to the incident. The first informant had lost confidence. Hence, there was delay. He has properly explained the delay in lodging the first information report. The offence is serious. The witnesses may be tampered. Hence, the applicant does not deserve bail.

6. Persued the papers.

7. There appears substance in the submissions of the learned counsel for the accused that initial story of the prosecution was a vehicular accident. After the death of deceased, for the first time, the allegations of assault have been made. *Prima facie*, the applicant has a good case for the reasons of inconsistent story of causing injury to the deceased. He has no antecedents to his discredit. He is permanent resident of Nanded. Therefore, there

are no chances of his absconding. However, an apprehension of the prosecution of tampering with the prosecution witnesses may be guarded by imposing certain conditions. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicant Sachin Ramesh Shelke be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
  - (a) He shall not tamper with the prosecution witnesses.
  - (b) He shall not contact the parents and the other witnesses to the incident till the conclusion of the trial.
  - (c) He shall attend the trial on each and every date.

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

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