



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**903 BAIL APPLICATION NO. 294 OF 2024**

Pravin S/o Kumar More.

... Applicant

**Versus**

The State of Maharashtra.

... Respondent

...  
Mr. Rajendra S. Deshmukh, Senior Counsel, a/w Ms. Rakshanda Jaiswal i/b  
Mr. Devang R. Deshmukh & Mr. Vishal Chavan, Advocates for Applicant.

Mr. Satish A. Gaikwad, APP for Respondent/State.

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 27<sup>th</sup> March, 2024.

**P.C.:**

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.450 of 2023, registered with Naldurg Police Station, District Dharashiv (Osmanabad), for the offences punishable under Sections 307, 323, 504 and 506 read with 34 of the Indian Penal Code.

3 It is averred in the report that informant Prashanth Sudhakar Chavan alongwith his friend Shahaji @ Banti went to the house of applicant/accused at village Murta and asked the reason of

abuses to his maternal uncle Balu Killedar. That time, applicant came there alongwith knife and assaulted on the left ribs of the informant. His friend Banti came there to rescue him. The applicant assaulted on his stomach. Some persons standing there rescued the informant and his friend Banti. They both were admitted in the hospital. The incident took place on 18<sup>th</sup> September, 2023 at about 04:00 pm. The report was lodged on 19<sup>th</sup> September, 2023.

4           The learned Senior Counsel for applicant pointed out the report and medico legal certificate as well as the statements of witnesses. He further pointed out the counter reports lodged by the informant and the applicant's side. The father of this applicant also lodged report alleging that he was also assaulted. When his son came there, he was also assaulted by this informant. The persons involved in both the reports/FIRs are released on bail. The charge-sheet is filed. The custody of this applicant is not necessary. He has roots in the society. The trial will take long period. It is lastly prayed to allow the application.

5           The learned APP for the State strongly opposed the application and submitted that the applicant is involved in serious crime. He assaulted the informant and his friend Banti with a knife and they sustained serious injuries. Therefore, Section 307 of the IPC is

invoked against the applicant. It is lastly prayed to reject the application.

6 Perused the report and counter report, medico legal certificate, papers of treatment and statements of witnesses as well as the order passed by the Trial Court rejecting the bail application of this applicant.

7 The charge-sheet is submitted. The applicant has roots in the society. He has no criminal antecedents. The trial will take long period. Considering the facts and circumstances of the case, role of this applicant and these two reports, the applicant is entitled for bail on the principle of bail is rule and jail is exception. The application deserves to be allowed on certain conditions. Hence, the following order:-

### **ORDER**

- I. The application is allowed.
- II. The applicant in connection with Crime No.450 of 2023, registered with Naldurg Police Station, District Dharashiv (Osmanabad), for the offences punishable under Sections 307, 323, 504 and 506 read with 34 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.25,000/- with surety of the like amount on following conditions:-

- a) The applicant shall not pressurize the prosecution witnesses, in any manner.
- b) The applicant shall not tamper with the prosecution evidence, in any manner.
- c) The applicant shall not enter into village Naldurg, Taluka Tuljapur, District Dharashiv (Osmanabad), till conclusion of trial.
- d) If any breach of the above conditions is noticed by the Trial Court, the Trial Court is at liberty to proceed further to cancel the bail of this applicant without reference to this Court.

**[ SANJAY A. DESHMUKH, J. ]**

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