



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

BAIL APPLICATION NO. 350 OF 2024

SONUSING @ SONU RAJENDRASING CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. M. R. Malpani
APP for Respondent : Ms. P. R. Bharaswadkar
...

CORAM : S. G. MEHARE, J.

DATE : 16-07-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.
2. The applicant seeks bail in C.R.No.240 of 2021 registered with Vimantal Police Station, Nanded for the offences punishable under Section 353 read with Section 34 of the Indian Penal Code and Sections 4/25 of the Arms Act.
3. The incident happened when the police went to find out the applicant for a crime. The applicant has allegedly resisted the police from getting arrested. It has been alleged against him that they tried to run over the vehicle on policeman. He has tried to assault the policeman with Gupti. In defence, the police had opened fire and one of the friends of the applicant was injured.

4. Learned counsel for the applicant submits that the case in which the applicant was arrested has been decided in his favour. He has been acquitted. The incident is painted and coloured. There were many policemen. It was not possible for the applicant to avoid his arrest, but the story has been concocted to make the offence serious. The applicant is languishing in jail since 2021. There is no progress in the trial.

5. Learned A.P.P. for the respondent opposed the application. She submits that considering the conduct of the applicant, it would not be safe to grant him bail. There is apprehension of repeating the crime in future.

6. The facts, as discussed above, reveal that the injuries were not suffered to the policeman. On the contrary, one person was injured in a fire. The applicant is languishing in jail for more than sufficient time and in the main crime he has been acquitted. The apprehension of repeating the crime in the mind of the prosecution may be guarded by imposing certain strict conditions. Since there is no progress in the trial, it would be unjustifiable to keep the applicant behind bar. Hence, the order :-

ORDER

- i) Bail application is allowed.
- ii) Applicant Sonusing @ Sonu Rajendrasing Chavan 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 attend the trial on each and every effective date.
- (c) He shall not involve in any crime.
- (d) He shall report to the concerned Police Station on every first and third Thursday, between 9.00 a.m. to 5.00 p.m. till conclusion of the trial.
- (e) He shall not leave his place of residence without leave of the Court.

(S. G. MEHARE)
JUDGE

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