



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 BAIL APPLICATION NO. 353 OF 2024

Suraj Kishor Bhoj
VERSUS
The State Of Maharashtra

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Advocate for Applicant : Mr. Narwade Narayan B.
APP for Respondents: Mr. Satish A. Gaikwad
Advocate to assist the A.P.P. : Mr. A.G. Ambetkar

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 6th MARCH, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Cr.P.C. in connection with crime No. 42 of 2024 registered with Ahmednagar taluka police station, District Ahmednagar, for the offences punishable under Sections 307, 325, 323, 504, 506 of the I.P.C. His application with similar prayer bearing criminal M.A. No. 140 of 2024 came to be rejected by the learned Additional Sessions Judge, Ahmednagar, vide order dated 15.2.2024.

2. It is averred in the report that on 23.1.2024, the informant was proceeding on his motor cycle by Jamkhed-Ahmednagar road, at about 12.40 noon when he reached near Patil Chicken Center at village Chinchodi Patil, he was given a forceful dash by one unknown vehicle bearing No. MH-12-JZ-3935. He was dragged and fell on the road. Thereafter, it came to know that the applicant and co-accused

Sharad Pawar, the Sarpanch of village Gram Panchayat, were in the said vehicle. At that time, co-accused Sharad Pawar questioned the informant as to why he has made the complaint of his filing a false affidavit. At that time, this applicant abused the informant in filthy language. The applicant caught hold both the hands of the informant and the co-accused Sharad Pawar mercilessly beaten him by fist and kick blows. In the said incident, the informant sustained serious injuries. Therefore, he lodged the report that the applicant and co-accused tried to commit his murder.

3. Learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. There is earlier enmity between the applicant and the informant. There is delay for lodging the report. There was no motive or intention on the part of the applicant to commit such offence. The applicant has roots in the society, he will not flee away from trial, the trial will take long a period. He lastly prayed for allowing the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicant is involved in serious crime. He may pressurize the prosecution witnesses. The charge sheet is not yet filed. The investigation is in progress. It is lastly prayed to reject the application.

5. Perused the papers of investigation, particularly report and

statements of witnesses. The Medico Legal Certificate of the informant is not available on record. Considering the fact and circumstances of the case that the applicant has roots in the society, he will not flee away from trial, the trial will take a long period and the fact that there is earlier enmity, 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. 42 of 2024 registered with Ahmednagar taluka police station, District Ahmednagar, for the offences punishable under Sections 307, 325, 323, 504, 506 of the I.P.C. be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicant shall not enter into village Sase Vasti, Chinchodi Patil, Tq. Nagar, district Ahmednagar, till the conclusion of trial.

(SANJAY A. DESHMUKH, J.)

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