



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1011 BAIL APPLICATION NO. 414 OF 2024

Pushkar Santosh Shelar
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Salunke Nitin S.
APP for Respondents: Mr. Mukesh K. Goyanka

.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 19th MARCH, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") in connection with crime No. 0003 of 2024 registered with Camp police Station, Ahmednagar, district Ahmednagar for the offences punishable under Sections 307, 324, 452, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/25 of the Arms Act. His application with similar prayer bearing criminal bail application No. 104 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 by the informant, who is mother of the injured Ujer and Umer that the applicant and other accused assaulted them by iron rod, wooden log, sickle by abusing them. They sustained injuries to their head, neck and hands. The applicant was accordingly arrested.

3. Learned advocate for the applicant submitted that the applicant has not assaulted any injured witnesses. The examination of the applicant is scheduled tomorrow. Though the name of the applicant is mentioned in the F.I.R. no any article is seized from the applicant. The applicant is an engineering student and his examination is scheduled tomorrow. It is lastly prayed to allow this 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. The charge sheet is not yet filed. He prayed for rejection of the application.

5. Perused the papers of investigation, particularly the report and other documents. The role of the applicant is that he assaulted to one of the injured by wooden log and that weapon is seized from the spot of incident. The applicant has roots in the society, he will not flee away from the trial and the trial will take a long period. Apart from merits, considering the fact that the examination of the applicant is scheduled tomorrow, it would be appropriate to grant him bail on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant, Pushkar Santosh Shelar, in connection with crime No. 0003 of 2024 registered with Camp police Station, Ahmednagar, district Ahmednagar for the offences punishable under Sections 307, 324, 452, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/25 of the Arms Act, be released on bail on furnishing personal bond of Rs.25,000/- only before the jail authority, Ahmednagar, on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) The jail authority, Ahmednagar is specifically directed that the applicant Pushkar Santosh Shelar be released on bail as early as possible so that he can reach to the scheduled examination centre tomorrow morning i.e. on 20.03.2024 before 10.00 a.m..
 - c) The jail authority is directed to submit the compliance report through online mode to this Court as soon as the above order is complied with.
 - d) The Registrar (Judicial) of this Court is directed to communicate this order by sending E-mail and WhatsApp as well as by making phone call to the concerned jail authority to comply the above order.

- e) In the meanwhile, within eight days, the applicant shall furnish the surety of the amount of Rs.25,000/- before the concerned court.

(SANJAY A. DESHMUKH, J.)

rlj/