



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

958 BAIL APPLICATION NO. 547 OF 2024

Abhishek Hemant Dhadge

VERSUS

The State of Maharashtra

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Advocate for Applicant : Mr. Salunke Nitin S.

APP for Respondent: Mrs.Dipali S. Jape

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 2nd APRIL, 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. 237 of 2024 came to be rejected by the learned Additional Sessions Judge, Ahmednagar, vide order dated 05.03.2024.

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. He submits that the applicant is mainly praying bail on the ground of parity as the co-accused namely Pushkar Santosh Shelar and Santosh Yadav Shelar have been released by this Court in bail application no.414 of 2024 and 415 of 2024, vide order dated 19th March, 2024. Though the name of the applicant is mentioned in the F.I.R. no any article is seized from the applicant. 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. Though the name of the applicant is mentioned in the FIR, however, there is no specific role attributed to him. Considering the fact that this Court has already released other two co-accused on bail vide order dated 19th March, 2024 in bail

application nos.414 of 2024 and 415 of 2024, the applicant is also entitled to be released on bail on the ground of parity. The applicant has roots in the society, he will not flee away from the trial and the trial will take a long period, therefore, the application deserves to be allowed on certain conditions.

O R D E R

- I. Application is allowed.
- II. The applicant, 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/- 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 witnesses, in any manner.

(SANJAY A. DESHMUKH, J.)

sga/