

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 618 OF 2024

Tapiram Yashwant Sonawane @ Tapu Bapu Sonawane

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. P.D. Bachate h/f Mr. R.R. Raghuwanshi

APP for Respondent/State : Mr. S.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : JULY 04, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.347 of 2023 registered with Sakri Police Station, District Dhule for the offence punishable under Sections 307, 326, 324, 143, 147, 148, 149, 427 of the Indian Penal Code.
3. Learned counsel for the applicant would submit that there are material discrepancies as to the role played by the applicant. The statement of the witness under Section 164 of the Criminal Procedure Code discloses the name of another accused assaulting the injured with knife against the allegations levelled against the applicant in the FIR. Nothing is recovered from him. He would submit that the applicant has been identified by the injured from

Instagram and Facebook. The person who told the name of the applicant has not been examined. So, considering his role and discrepancies in the statement of the witness, he may be granted bail.

4. Per contra, learned APP has strongly opposed the application. He would submit that the applicant was the member of unlawful assembly. He came along with co-accused. They assaulted the injured only for not selling Vimal Gutka. All the persons have damaged the betel nut shop and fridge. The applicant was aggressive and supported the co-accused. The discrepancies may be explained during the trial. Hence, he may not be granted bail.

5. The way in which the incident happened is material in this case. Only for Gutka, the applicant and co-accused assaulted the betel nut shop owner and the man who came to rescue the quarrel. The injured have suffered serious injuries. Deadly weapons like knife and iron rods were used in the crime. Considering the gravity of the offence, the way in which the offence has been committed and the presence of the applicant, the applicant has no case for bail.

6. For the above reasons, the application stands dismissed.

(S.G. MEHARE, J.)