



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD.

**30 BAIL APPLICATION NO. 622 OF 2024**

1. Bhagvat S/o. Pralhadrao Javade.
2. Ram @ Rama S/o. Pralhad Javade. ... Applicants

**Versus**

The State of Maharashtra. ... Respondent

...  
Mr. Vivekanand B. Deshmukh, Advocate for Applicant.  
Mr. Mukesh K. Goyanka, APP for Respondent/State.  
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 06<sup>th</sup> May, 2024.

**P.C.:**

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973 (for short "the Cr.P.C."), for grant of regular bail in connection with Crime No.73 of 2024, registered with Parbhani Rural Police Station, District Parbhani, for the offences punishable under Sections 436, 427, 504 and 506 read with 34 of the Indian Penal Code.

3 It is averred in the report that these applicants set ablaze the house of the informant.

4           The learned counsel for applicants submitted that there is civil dispute between the informant and the applicants. Therefore, the applicants are falsely implicated in the crime. He submitted that the applicants have roots in the society. They will not flee away from the trial. The trial will take long period. The practical investigation is over. Custody of these applicants is not necessary. It is lastly prayed to allow the application.

5           The learned APP for the State strongly opposed the application and submitted that the applicants are involved in the serious crime. Entire house of the informant is set ablaze and burnt. Considering the serious nature of crime and fact that the investigation is not yet over, it is lastly prayed to reject the application.

6           Perused the papers of investigation, particularly, the report and the statements of witnesses. Apart from merit, the applicants have roots in the society, they will not flee away from the trial and the civil suit is pending between the informant and the applicants. The practical investigation is over. The custody of these applicants is not necessary. Considering all these aspects, the application deserves to be allowed on the principle that bail is rule and jail is exception on certain conditions. Hence, the following order:-

**ORDER**

- I. The application is allowed.
- II. Both these applicants in connection with Crime No.73 of 2024, registered with Parbhani Rural Police Station, District Parbhani, for the offences punishable under Sections 436, 427, 504 and 506 read with 34 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.50,000/- each with surety of the like amount by each of them on following conditions:-
  - a) The applicants shall not pressurize the prosecution witnesses, in any manner.
  - b) The applicants shall not tamper with the prosecution evidence, in any manner.

**[ SANJAY A. DESHMUKH, J. ]**

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