



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 622 OF 2024

Shubham Ramesh Yadav

... Applicant

VERSUS

The State Of Maharashtra
And Another

... Respondents

.....
Mr. Nilesh S. Ghanekar, Advocate for Applicant
Mr. S.P. Sonpawale, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 30th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in Crime No. 51 of 2024 registered with Osmanpura Police Station, Aurangabad for offence punishable under sections 326, 341, 141 143, 144, 147, 148, 149, 427 of the Indian Penal Code.

2. FIR is lodged by Aditya Yadav alleging that on 25.03.2024, applicant called him and invited him for playing *Holi* At that time, co-accused came there. Thereafter, applicant and co-accused assaulted him by fists and kick blows. Mobile phone of Aditya was damaged. His neck was also pressed by applicant. Co-accused Sainath and Monu assaulted to Aditya by stick.

3. Heard learned advocate for applicant and learned APP for respondents - State. Perused the Investigation papers.

4. Medical record indicates that at the time of admission in the Hospital, history given as "accidental self fall at Beed bypass at 7.00 p.m. on 25.03.2024". Apart from this, the only allegation levelled against applicant is that he called informant and press the neck of informant. Actual assault with wooden log, stick is by co-accused persons. Considering totality of circumstances, no useful purpose would be served by remanding applicant in custody. Applicant has no criminal antecedents. He is permanent resident of New Osmanpura, Aurangabad and he will not abscond if released on bail.

5. Application is therefore allowed. In the event of arrest of applicant Shubham Ramesh Yadav in connection with Crime No 51 of 2024 registered with Osmanpura Police Station, Aurangabad for offence punishable under sections 326, 341, 141 143, 144, 147, 148, 149, 427 of the Indian Penal Code, he be released on bail on executing Personal Bond and Surety Bond of Rs.15,000/- with one surety in the like amount.

6. Till filing of charge-sheet, applicant shall attend the concerned police station as and when called by the Investigating Officer. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE