

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 596 OF 2024
WITH
CRIMINAL APPLICATION NO. 1632 OF 2024
IN BA/596/2024

Yash Chandrakant Chahad And Others
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Rajendra Deshmukh, Senior Counsel a/w
Ms. Rakshanda Jaiswal i/b Mr. Deshmukh Devang Rajendra
APP for Respondent/State : Mrs. D.S. Jape
Advocate for Complainant : Mr. D.M. Shinde (through V.C.)

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CORAM : S.G. MEHARE, J.

DATED : JULY 23, 2024

PER COURT:-

1. Heard learned senior counsel for the applicants, learned APP for the State and learned counsel for the complainant.
2. The applicants seek bail in Crime No.253 of 2023 registered with Basmath City Police Station, District Hingoli for the offences punishable under Sections 302, 364, 201 r/w 34 of the Indian Penal Code.
3. It is really an unfortunate that young boys have been involved in the serious crime of killing their friends. The prosecution has an evidence of last seen together. The deceased had suffered around 68 injuries and died of Myocardial Infarction. All the lawyers have submitted their case. The defence side was saying that there are

many discrepancies in the matter. The first treating doctor did not noticed the injuries. The injuries suffered to the deceased were not the cause of death. Myocardial Infarction is a type of cardiac arrest.

4. As against this, the counsel for the complainant and learned APP would submit that the deceased has injuries on parietal bone. Since there were multiple injuries, the possibility of blood clot in the heart that may cause Myocardial Infarction cannot be ruled out. The offence is serious. One of the applicant is having political background. There is every possibility of tampering with the prosecution witnesses. The family members of one of the co-accused are the witnesses on his past incident conduct.

5. Perused the papers. *Prima facie*, the prosecution has sufficient evidence to decline the bail. However, the applicants are young college going boys having no antecedents. Their staying with the hardened criminals in the jail may be saved by directing the criminal Trial Court to conduct the case day-to-day. It is in the hands of the accused to appoint such lawyer who may pay attention completely to the trial and they avoid the unwanted adjournments. This relief could only be granted by this Court considering the age of the applicants.

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

7. The learned Trial Court is directed to expedite the matter subject to co-operation of the prosecution and the defence counsel and decide the matter at the earliest.

8. Criminal Application No.1632 of 2024 stands disposed of.

(S.G. MEHARE, J.)