



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

BAIL APPLICATION NO.710 OF 2024

Manpreetsingh @ Tejasingh S/o Charansingh Taak,
Age-23 years, Occu:Pathi in Gurudwara
Board Nanded, R/o- N. D.-41-Jaibhavaninagar,
Cidco, Nanded, Taluka and District-Nanded.

...APPLICANT

VERSUS

The State of Maharashtra,
Through Police Station Nanded Gramin,
Dist-Nanded

...RESPONDENT

...
Mr. Suraj R. Bagal Advocate h/f. Mr. Bharat N.
Gadegaonkar Advocate for Applicant.
Ms. D.S. Jape, A.P.P. for Respondent – State..
...

CORAM: S.G. MEHARE, J.

DATE : 27th JUNE 2024

ORDER :

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No. 0517 of 2023 registered with Police Station, Nanded Gramin, District-Nanded for the offence punishable under Sections 302, 384, 385, 386,

294, 223, 504, 506, 143, 147, 148, 149 of the Indian Penal Code with Section 4/25 of the Indian Arms Act.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the crime. He did not capture in the CCTV. But so-called eye witnesses stated about his presence at the spot. Earlier there was an accident happened at the hands of the applicant. Therefore, his name has been taken in the First Information Report. The first informant was not the eye-witness. He would submit that in the absence of any concrete evidence, the applicant could not be kept behind the bars. In some of the earlier crimes, he has been acquitted.

4. Learned APP has strongly opposed the application. She would submit that though the applicant has not been captured in CCTV, two eye-witnesses deposed against him that he was present at the spot of the incident. The offence is serious. The applicant has antecedents. Hence, he may not be granted bail.

5. Perused the charge-sheet. Initially applicant was not named as accused. But two eye-witnesses have been produced by the prosecution. One of them took the name of the applicant.

However, the CCTV, which may be more reliable than the oral version of the witnesses, shows that the applicant was not there. As far as antecedents are concerned, the law is settled that it is no ground to reject the bail. The Court has to consider the role attributed to the applicant in the case he is seeking the bail. There are allegations against the applicant that he has instigated the co-accused. However, his presence at the spot is doubtful. He is languishing in jail for sufficient period. His further detention would serve no purpose.

6. For the above reasons, the following order is passed:-

ORDER

(I) Bail Application stands allowed.

(II) The applicant – Manpreetsingh @ Tejasingh S/o Charansingh Taak be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in the above crime, on the condition that:-

(a) The applicant shall not enter in Nanded town for four months from the date of his arrest except for attending the trial.

(b) The applicant shall furnish his residential address and phone number to the Court, during the period of his residence out of Nanded Town.

(c) The applicant shall not tamper with the prosecution witnesses.

[S.G. MEHARE, J.]

asb/JUNE24