



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

957 BAIL APPLICATION NO. 730 OF 2024

1. Ashok S/o Tukaram Dinde.
2. Yashpal s/o Tukaram Dinde. **... Applicants**

Versus

The State of Maharashtra. **... Respondent**

Advocate for Applicant : Mr. Avinash N. Suryawanshi.

APP for Respondent/State: Mr. D. J. Patil.

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

DATE : 22nd May, 2024.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.542 of 2023, registered with Degloor Police Station, District Nanded, for the offences punishable under Sections 307, 143, 144, 147, 148, 149, 326, 323, 504 and 506 of the Indian Penal Code.

3 It is averred in the report that when the informant was proceeding to meet his relative, these applicants and other co-accused assaulted him by an axe, sickle, sticks etc. It is further averred in the report that co-accused Mohan assaulted the informant by sickle to the

backside of the left ear. Therefore, the report was lodged.

4 The learned counsel for applicants submitted that practical investigation is over. The custody of these applicants is not necessary. Co-accused is released on bail by this Court. It is lastly prayed to allow this application.

5 The learned APP for the State strongly opposed the application and pointed out the role of these applicants. He further pointed out the injury certificate of the informant. He submitted that considering the serious nature of the crime, the application deserves to be rejected. It is lastly prayed to reject the application.

6 Perused the papers of investigation, particularly, the report, injury certificate as well as the statements of witnesses. This Court vide order dated 1st April, 2024 passed in Bail Application No.441 of 2024 granted bail to co-accused (Mohan Ramchandra Pandhare). Considering all these aspects, this application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. Both these applicants in connection with Crime No.542 of 2023, registered with Degloor Police Station, District Nanded, for the

offences punishable under Sections 307, 143, 144, 147, 148, 149, 326, 323, 504 and 506 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.
- c) The applicants shall not enter into village Tamloor, Taluka Degloor, District Nanded, till conclusion of trial.
- d) If any breach of the above conditions is noticed by the Trial Court, the Trial Court is at liberty to proceed further to cancel the bail of these applicants without reference to this Court.

[SANJAY A. DESHMUKH, J.]

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