



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

929 BAIL APPLICATION NO. 785 OF 2024

NIKHIL @ CHIKYA KESHAV BHANDARE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Gaurav L. Deshpande.

APP for Respondent/State : Mrs. Pratibha J. Bharad.

...

AND

BAIL APPLICATION NO. 754 OF 2024

MAROTI @ SONU VITTHAL SHINDE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Angad Lala Kanade.

APP for Respondent/State : Mrs. Pratibha J. Bharad.

...

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

DATE : 09th May, 2024.

P.C.:

1 Heard.

2 These are applications, 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.335 of 2023, registered with Umri Police Station, District Nanded, for the offences punishable under Sections 307, 384 and 327 read with 34 of the Indian Penal Code.

3 It is averred in the report that by the informant that he was running tempo on 25th November, 2022 at about 10:30 pm. He reached at Umri. When he was parking the tempo, applicant Maroti @ Sonu said him to come out from the tempo. That time, the informant was alongwith his friend Shaikh Yunus. Applicant Maroti @ Sonu said that if you want to run your tempo, you have to pay *Hafta*. That time, applicant Maroti @ Sonu made attempt to assault on his stomach by knife, but he could save himself. Thereafter, he assaulted on his left cheek. That time, one Anil Varik and applicant Nikhil @ Chikya caught hold his friend Shaikh Yunus. Applicant Maroti @ Sonu took out Rs.12,000/- from the pocket of the informant. Some people gathered there and the quarrel was pacified. The informant was taken to the hospital and the report was lodged on 2nd December, 2023, after he was discharged.

4 The learned advocates for the applicants submitted that the applicants are falsely implicated in the crime. Applicant Maroti @ Sonu is ready to deposit Rs.12,000/- in the Trial Court. The investigation is over. The informant sustained simple injuries. Further custody of these applicants is not necessary. The applicants have no criminal antecedents. It is lastly prayed to allow these applications.

5 The learned APP for the State strongly opposed the

applications and submitted that applicant Maroti @ Sonu has used the knife for commission of said crime. Considering the serious nature of the crime and their role, it is lastly prayed to reject these applications.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as the injury certificate. The applicants have roots in the society. Their further custody is not necessary. They have no criminal antecedents. The trial will take long period. Considering all these aspects and to prevent the applicants from committing same nature of crime, it would be proper to direct them not to enter into Umri city till the conclusion of trial. Both these applications, therefore, deserve to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. Both the applications are allowed.
- II. Both the applicants in connection with Crime No.335 of 2023, registered with Umri Police Station, District Nanded, for the offences punishable under Sections 307, 384 and 327 read with 34 of the Indian Penal Code, **on depositing Rs.12,000/- by applicant Maroti @ Sonu in the Trial Court**, be released on bail on furnishing personal bond of Rs.25,000/- 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 Umri city, District Nanded, till the conclusion of trial.
- III. If breach of any of the above conditions is noticed by the Trial Court, the Trial Court is at liberty to cancel the bail of these applicants without reference to this Court.

[SANJAY A. DESHMUKH, J.]

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