

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 836 OF 2024
WITH
CRIMINAL APPLICATION NO. 2396 OF 2024
IN BA/836/2024

1. Rajendra s/o Digambar Gaikwad
2. Bhairoba s/o Tanaji Fukate (Fugate)
3. Sham s/o Prakash Gaikwad ...Applicants

VERSUS

The State Of Maharashtra ...Respondent

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Advocate for Applicants : Mr. Patil Kalyan V

APP for Respondent/State : Ms. S.S. Joshi

Advocate for Complainant : Mr. Sushant Baburao Choudhari

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CORAM : S.G. MEHARE, J.

DATED : JUNE 19, 2024

PER COURT:-

1. Heard learned counsel for the applicants, learned APP for the State and learned counsel for the complainant.
2. The applicants seek bail in Crime No.608 of 2023 registered with Omerga Police Station, District Osmanabad for the offence punishable under Sections 307, 326, 452, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code.
3. Perused the papers. General allegations of assault by eight persons with deadly weapons have been levelled against the

applicants. However, the injury report does not reflect the injury on the vital part of the body. The injuries were caused to forearm which was grievous and other injuries were simple in nature. The weapons allegedly used in the crime have been recovered. There are no antecedents to the discredit of the applicants. The injured has been discharged. No purpose would be served by keeping the applicants behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicants, (1) Rajendra s/o Digambar Gaikwad, (2) Bhairoba s/o Tanaji Fukate (Fugate) and (3) Sham s/o Prakash Gaikwad, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) each with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicants shall not tamper with the prosecution witnesses.
 - (b) The applicants shall attend the trial on each effective date.
- (iii) Criminal Application No.2396 of 2024 stands disposed of.

(S.G. MEHARE, J.)