



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 871 OF 2024

1. Sunil s/o. Rajendra Rathod,
Age 27 years, Occu. Business
2. Avinash s/o. Rajendra Rathod,
Age 24 years, Occu. Business

Both R/o. Ekambi Tanda, Ujani
Tq. Ausa, Dist. Latur .. Applicants

Versus

The State of Maharashtra
Through Incharge Police Officer
Bhada Police Station, Tq. Ausaand,
Dist. Latur .. Respondent

...
Advocate for Applicant : Mr. Sandeep C. Swami
APP for Respondent : Ms. S. S. Joshi
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CORAM : S. G. MEHARE, J.

DATE : 10-06-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.
2. The applicant seeks bail in C.R.No.100 of 2024 registered with Bhada Police Station for the offences punishable under Sections 302, 143, 147, 148, 149, 323 and 504 of the Indian Penal Code.

3. The incident happened in the marriage. However, the first information report is specific that applicant No.2 Avinash assaulted the deceased on his head with iron rod and that was the cause of death. There is a direct evidence against him.

4. So far as applicant No.1 Sunil is concerned, his role is limited to the extent of beating the deceased by fist and blows. The role attributed to applicant No.2 Avinash is serious and supported with other witnesses. However, considering the role attributed to applicant No.1 Sunil and the material progress in the investigation, he may be granted bail. Hence, the order;

ORDER

- i) Bail application is partly allowed.
- ii) Applicant No.1 Sunil s/o. Rajendra Rathod be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He shall not threat the prosecution witnesses.
 - (b) He shall co-operate with the investigation and attend the police station as and when called by the Investigating Officer, till filing of the chargesheet on written notice.

(S. G. MEHARE)
JUDGE