



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 BAIL APPLICATION NO. 942 OF 2024

KISHOR KUNDLIK AMBHORE
VERSUS
THE STATE OF MAHARASHTRA

WITH

BAIL APPLICATION NO. 917 OF 2024

OM @ ARJUN BALAJI SOLAV
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. C. C. Deshpande h/f Mr. Magar
Balasaheb N.

APP for Respondent-State : Mr. S. M. Ganachari.

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CORAM : S. G. MEHARE, J.
DATE : 01.07.2024

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.

2. The applicants seek bail in Crime No.304 of 2023, registered with Purna Police Station, District Parbhani, for the offences punishable under Section 302, 120-B, 201 of the IPC and Sections 3, 4, 25 and 27 of the Arms Act.

3. Prosecution has a case that the accused Om did the recky. Pistol was kept at the house of co-accused Kishor. The

applicants have a case that they have no concern with the crime. The false allegations of disappearing the evidence have been levelled against applicant Kishor. They have nothing to do with the incident. However, they belong to the group of the main accused, they have been forcefully arrested in the crime. There is no strong material against the accused.

4. Learned APP has strongly opposed the applications. He argued that applicants were actively participated in the crime. The pistol was purchased by contributing money by the members of the group of the applicant. Kishor kept the pistol with him. He was having knowledge that this weapon is purchased for attack. The incident happened in college premises. There should be a deterrence to the students like the applicants. The offence is serious. Hence, they may not be granted bail.

5. Perused the papers. The allegations against applicant Om is that he did reky. Except the allegation of keeping the pistol at the house of co-accused Kishor, nothing is recovered from him. The allegations of burning the clothes has to be considered on merits. They have no antecedents.

6. Considering the facts of the case in toto and the age of the applicants, the Court is of the view that no purpose would be served keeping them behind bar. However, to protect the interest of the prosecution, certain conditions may be imposed. Hence, the following order :

ORDER

- (i) Bail Applications are allowed.
- (ii) Applicant **KISHOR KUNDLIK AMBHORE** in Bail Application No.942 of 2024 and Applicant **OM @ ARJUN BALAJI SOLAV** in Bail Application No.917 of 2024 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 like amount each, on the following conditions :
 - (a) They shall attend the trial on each and every date.
 - (b) They shall not tamper with the prosecution witnesses.
 - (c) They shall not enter village Kadam Galli, Purna for four months from the date of their release.

(S. G. MEHARE, J.)

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vmk/-