



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

34 BAIL APPLICATION NO. 944 OF 2024

ABHISHEK ANIL BHAVAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Rajendrraa Deshmukkh (Senior
Advocate) a/w Ms. Meenal Deshmukh, Mr. Nimish i/b
Mr. Deshmukh Devang Rajendrraa.
APP for Respondent-State : Mr. S. R. Wakale.

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

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant seeks bail in Crime No.605 of 2023, registered with M.I.D.C. CIDCO Police Station, District Aurangabad, for the offences punishable under Sections 302, 201, 120-B, 143, 147, 149, 109, 114, 177 of the IPC.
3. Prosecution case is based upon the eye witness. Sole eye witness did not state the actual role played by the applicant. It has been alleged against the applicant that he took the injured on motorbike. Apart from that the prosecution case is based upon the CDR to establish that he was participating in the crime. However, the eye witness is silent about the actual role

attributed to the applicant. Except his presence and taking the dead body on bike as a pillion rider nothing is against him. No weapon is recovered from him. Considering the role attributed to the applicant and the material collected against him, the Court is of the view that this is a fit case to exercise the discretion under Section 439 of the Cr.P.C. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ABHISHEK ANIL BHAVAR** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, on the following conditions :
 - (a) He shall attend the trial on each and every date.
 - (b) He shall not tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-