



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

BAIL APPLICATION NO. 1071 OF 2024

DUSYA DATTU BHOSALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondent : Mrs. P. R. Bharaswadkar
...

CORAM : S. G. MEHARE, J.

DATE : 16-07-2024

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.173 of 2021 registered with M.I.D.C. Police Station, District Aurangabad, for the offences punishable under Sections 302, 394, 397, 201 and 120B of the Indian Penal Code.
3. The report was lodged against the unknown persons. One of the co-accused was arrested and he disclosed the name of the applicant. Thereafter, he was arrested. Except the statement of the co-accused, the prosecution has nothing at this stage. After his arrest, no incriminating material has been recovered from him, when the co-accused has been granted bail.
4. Learned A.P.P. for the respondent submits that there are antecedents to the discredit of the applicant.

5. Learned counsel for the applicant submits that after the arrest of the applicant in other crime, some unknown person implicated the applicant in this crime. The applicant has been falsely implicated in this crime.

6. Since he was pursuing for anticipatory bail, it was difficult to arrest him. He has roots at village Takli Shivar, Taluka Paithan. The apprehension of the prosecution may be guarded by imposing certain conditions. Hence, the order :-

ORDER

- i) Bail application is allowed.
- ii) Applicant Dussya Dattu Bhosale 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 tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every effective date.
 - (c) He shall furnish his residential address proof and mobile cell phone number to the police with an undertaking that he would not change it till conclusion of the trial.
 - (d) He shall not involve in the identical crime.

**(S. G. MEHARE)
JUDGE**