

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1078 OF 2024

Balaji Dashrath Deshmukh

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Menezes Joslyn A.

APP for Respondent/State : Mrs. D.S. Jape

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CORAM : S.G. MEHARE, J.

DATED : JULY 11, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.181 of 2024 registered with Goregaon Police Station, District Hingoli for the offence punishable under Sections 323, 324, 353, 394, 504, 506 of the Indian Penal Code.
3. The allegations have been levelled against the applicant that he assaulted the first informant with knife on his knee and with stones on his leg.
4. Learned counsel for the applicant submits that counter report was lodged first in time and then afterthought false allegations have been levelled against the applicant. There were no injuries as such. The police could not recover the so-called knife as there were

corresponding injuries on the person of the injured. Nothing is to be recovered from him. Hence, he may be granted bail.

5. Learned APP opposed the application contending that there are four crimes to the discredit of the applicant. The applicant is a journalist and in habit to extract money. He has obstructed the public work. The injured was a Up-Sarpanch of the village. He has caused disturbance in the public work. Therefore, he may not be granted bail.

6. The antecedents to the discredit of the applicant is no ground to reject the bail. The Court has to examine the role attributed to the applicant in the crime in which he is seeking bail. In the case at hand, the allegations of assaulting with knife have been made but the medical evidence does not support it at all. The injuries suffered to the injured were of a different nature. The applicant has also lodged the report against the injured in this case. Reading the matter with the evidence collected against the applicant, the Court is of the view that his detention would serve no purpose. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Balaji Dashrath Deshmukh, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty

(3)

Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) The applicant shall attend the concerned police station on every Tuesday between 10.00 am to 02.00 pm till filing the charge sheet.

(S.G. MEHARE, J.)