

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1123 OF 2024

Shivaji Bharat Dhage

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondent/State : Ms. P.R. Bharaswadkar

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CORAM : S.G. MEHARE, J.

DATED : JULY 18, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.46 of 2024 registered with Kharda Police Station, District Ahmednagar for the offence punishable under Sections 302, 307, 326, 506 of the Indian Penal Code.
3. The allegations in the FIR reveals that the applicant tried to run over the tractor on the person of the deceased who was 72 years old. Immediately after the incident, he was taken to the hospital where it was revealed that he has injuries on his knee. Thereafter, after tenth day of the incident, the deceased died. The prosecution has the evidence to show that the deceased had suffered grievous injuries. However, the cause of death was septicemia caused to the deceased. The question is whether the cause of death supports

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the prosecution that it was a case of murder. The injuries were sustained to the knees of the deceased which were grievous in nature. Considering the cause of death and the way in which the incident happened, the applicant has good case for bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Shivaji Bharat Dhage, be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty 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 and shall attend the trial on each and every date.

(S.G. MEHARE, J.)