



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

BAIL APPLICATION NO. 1172 OF 2024

ABHISHEK RAJENDRA MANE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Narsing B. Jadhav
APP for Respondent : Ms. S. S. Joshi
...

CORAM : S. G. MEHARE, J.

DATE : 25-07-2024

PER COURT :-

1. Heard learned counsel for the applicant and the learned A.P.P. for respondent.
2. The applicant seeks bail in C.R.No.0255 of 2024 registered with Police Station Tuljapur, District Osmanabad, for the offences punishable under Sections 308, 504, 506 read with Section 34 of the Indian Penal Code.
4. The dispute arose as the wall had fallen down and toilet pipe of the first informant was broken. So there was dispute about who would repair it. The applicant pressed neck of the first informant. The incident was captured in video by his wife. Thereafter, the applicant has been arrested.
5. Learned counsel for the applicant submits that considering the nature of the offence, punishment would not be more than three years and fine. Though there are antecedents to his discredit, he would not be refused bail.

6. Learned A.P.P. has strongly opposed the application. She submits that there are 19 antecedents to the discredit of the applicant. The applicant is habitual in committing the crimes of like nature. There is an apprehension to the life of the first informant. Therefore, he may not be granted bail.

7. It is apparent that there are many crimes registered against the applicant. However, punishment for the offence registered against him is not more than three years. He did not cause injury while pressing neck of the first informant. His history reveals that he was continuously involved in the crime. But considering maximum punishment, he could not be refused bail. However, certain stringent conditions could be imposed. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicant Abhishek Rajendra Mane 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 stay away from the village Tuljapur for four months from the date of his release.
 - (c) He shall attend the Police Station as and when called on written notice by the Investigating Officer till filing charge sheet.

(S. G. MEHARE, J.)