

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1313 OF 2024

Shankar Balasaheb Choudhari

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Bhosale Sanjaykumar B.

APP for Respondent/State : Mr. A.S. Shinde

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CORAM : S.G. MEHARE, J.

DATED : SEPTEMBER 05, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.37 of 2024 registered with Dhoki Police Station, District Dharashiv (Osmanabad) for the offences punishable under Sections 302, 143, 147, 149, 504 and 506 of the Indian Penal Code.
3. The prosecution case in brief is that the applicant and other co-accused assaulted the deceased on the suspicion that the deceased had stolen a mobile handset. Therefore, the applicant and other co-accused assaulted the deceased with sugarcane. The deceased died of the multiple injuries.
4. The way of the incident is self-speaking. The question may be whether the acts of the applicant were intentional, deliberate

and by omission. *Prima facie*, it appears that the quarrel took place under the suspicion of stealing a mobile handset. The sugarcane which was loaded in the tractor was used to assault him. In the circumstances, the Court is of the view that the applicant deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Shankar Balasaheb Choudhari, be released on bail on furnishing P.B. 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 he should not tamper with the prosecution witnesses and should attend the trial on each and every date.
- (iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad is directed to pay the fees to the appointed counsel for the applicant, as per schedule.

(S.G. MEHARE, J.)