

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1410 OF 2024

Sainath Dilip Kusalkar

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Vikhe Pratap B.

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

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 20, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.162 of 2024 registered with Shirdi Police Station, District Ahmednagar for the offences punishable under Sections 326, 323, 504, 506 r/w 34 of the Indian Penal Code.
3. Learned counsel for the applicant would submit that the alleged weapon has been recovered from the applicant. There are no antecedents to his discredit. The investigation remained to be done from him. The offence is triable by the Magistrate. Trial may take its time. Hence, he may be granted bail.
4. Learned APP opposed the application. He would submit that the applicant has played an active role. Though the weapon is

recovered, the investigation is pending. There is apprehension of committing another serious crime, if the bail is granted.

5. Perused the FIR and papers placed before the Court. The weapon allegedly used in the crime has been recovered. The injured has been discharged. There is no danger to the life of the injured. There are no antecedents to the discredit of the applicant. His detention would serve no purpose. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Sainath Dilip Kusalkar, 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;
 - (a) The applicant should not tamper with the prosecution witnesses.
 - (b) The applicant should attend the police station as and when called on written notice by the investigation officer till filing the charge sheet.
 - (c) The applicant should not enter Savlivihiir, Taluka Rahata, District Ahmednagar for one month from the date of his release.

(S.G. MEHARE, J.)