



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

BAIL APPLICATION NO. 1169 OF 2024

1. Ganesh Dattatray Machale
2. Rahul Lahu Maharnor @ Maharnur .. Applicants
Versus
The State of Maharashtra
Through the Police Station,
Shrigonda Police Station,
District Ahmednagar .. Respondent

Mr. Rahul R. Karpe, Advocate for Applicant;
Ms. M. N. Ghanekar, APP for Respondent

WITH CRIMINAL APPLICATION NO.3390 OF 2024

Shivaji s/o. Dnyandeo Chormale
Versus
1. The State of Maharashtra
2. Ganesh s/o. Dattatray Machale
3. Rahul Lahu Maharnor @ Maharnur .. Respondents

Mr. A. D. Bhosle, Advocate for Applicant/informant

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CORAM : S. G. MEHARE, J.

DATE : 09-08-2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for the respondent/State and the learned counsel for the informant.

2. The applicants seek bail in C.R.No.562 of 2024 registered with Shrigonda Police Station, District Ahmednagar for the offences punishable under Sections 307, 326, 324, 504, 506, 143, 147, 120B of the Indian Penal Code and Sections 4/25 of the Arms Act.

3. The first information report reveals two incidents after some gap. The applicants were captured in the CCTV. They were seen supporting in the quarrel. However, in the second episode that happened at around 9.15 p.m. they were not captured in the CCTV. Now-a-days, the CCTV footage is the best evidence to ascertain the facts. In the first episode, there were no assaults. It was just the hot exchange of words of the main accused and the applicants. These applicants were allegedly present at the time of the incident but they were not captured in the CCTV footage.

4. It is argued by the learned A.P.P. that they were members of an unlawful assembly and captured in the CCTV footage in the area installed where the incident happened.

5. Considering the material placed on record, it seems that the presence of the accused on the happening in the second incident is doubtful. Nothing is to be recovered from them. The material investigation has been completed against them. Hence, they deserve bail. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicants No.1 - Ganesh Dattatray Machale, No.2 - Rahul Lahu Maharnor @ Maharnur be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount each, in the above crime for the aforesaid

offences, on the conditions that,

- (a) They should not involve in similar crimes.
 - (b) They should attend the Police Station as and when called on written notice by the Investigating Officer till the filing of the chargesheet.
- lii) Criminal Application No.3990 of 2024 stands disposed of.

(S. G. MEHARE)
JUDGE

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