



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

BAIL APPLICATION NO. 1766 OF 2024

VYANKAT BHAGWAN MULE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. P. P. More
APP for Respondent : Mr. S. B. Pulkundwar
...

CORAM : S. G. MEHARE, J.

DATE : 17-10-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.
2. The applicant seeks bail in C.R.No.51 of 2024 for the offence punishable under Sections 302 and 326 read with Section 34 of the Indian Penal Code.
3. The first information report reveals that the deceased had dug a pit on the way to the field of the applicant when he was carrying the crops after harvesting. Since the deceased did above acts, it might have instigated the applicant. The deceased was a instrumental to the cause the quarrel. The probability cannot be ruled out that in the fit of anger, the incident might have happened.
4. The learned A.P.P. has vehemently opposed the application contending that there are many witnesses to the incident. The

offence is serious. For a trivial reason, the applicant killed the deceased. The applicant was aggressive and killed the deceased with spade.

5. Though the learned A.P.P. has strongly opposed the application, the reasons for the incident mentioned above reveal that the applicant cannot be blamed solely for the incident. The possibility of happening the incident in the fit of anger, cannot be ruled out. The weapon is recovered. There are no antecedents to the discredit of the applicant. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicant - Vyankat Bhagwan Mule 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 should not tamper with the prosecution witnesses.
 - (b) He should not contact the injured and the other witnesses to the incident till the conclusion of the trial.
 - (c) He should attend the trial on each and every effective date.

**(S. G. MEHARE)
JUDGE**