



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

BAIL APPLICATION NO. 1779 OF 2024

RAMU KACHARU BHUJANGE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Balraj P. Pande
APP for Respondent : Mr. A. S. Shinde
...

CORAM : S. G. MEHARE, J.

DATE : 17-10-2024

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent.
2. The applicants seek bail in C.R.No.224 of 2024 registered with Harsul Police Station, District Chhatrapati Sambhajinagar (Aurangabad), for the offences punishable Sections 109, 115, 189(2), 190, 191(2), 352 of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution has a case that on the day of the incident, the applicant along with other co-accused had been to the house of the injured. The applicants were slapping and abusing the injured. However, one of the co-accused stabbed the injured on his abdomen. He had suffered grievous injury. After surgery, he had been discharged.

4. The learned A.P.P. has opposed the application contending that the offence is serious. All accused along with the applicants had been to the house of the victim. Therefore, they had a common intention. Since the applicants were present on the spot of the incident while committing the crime and the investigation is still in progress, the applicants do not deserve bail.

5. The learned counsel for the applicants submits that the role attributed to the applicants do not reveal that they have used the weapons. The applicants are also the resident of the same locality. They had no common intention. The incident happened against them. Nothing is to be recovered from them. They were arrested on 28.08.2024. The material investigation against them has been completed. Hence, they may be granted bail.

6. Perused the papers.

7. There are no allegations against the applicants that they have used deadly weapons and caused injuries to the injured. However, the fact remains that the injured had suffered grievous injury to his left lumbar region and left kidney due to the acts of accused Amol. Fortunately the injured save his life and now he has been discharged. Considering the allegations levelled against the applicants, no weapon is recovered from them. Therefore, their further detention would serve no purpose. However, an apprehension of the prosecution of tampering with the prosecution

witnesses may be guarded by imposing certain conditions. Hence, the order:-

ORDER

- i) Bail Application is allowed.
- ii) Applicants No. (1) Ramu s/o. Kacharu Bhujange, (2) Saurabh s/o. Ramu Bhujange and (3) Sunita w/o. Ramu Bhujange, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- each with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that;
 - (a) They should not tamper with the prosecution witnesses.
 - (b) They should not contact the victim and other prosecution witnesses till conclusion of the trial.
 - (c) They should stay away from Harsul, District Aurangabad, for three months from the date of their release.
 - (d) They should not involve in the identical crimes.
 - (e) They should attend the trial on each and every effective date.

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

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