



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

996 BAIL APPLICATION NO.2008 OF 2024

**SAHEBRAO KONDIBA SALVE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.Shubham S. Pawar h/f.
Mr.R.R.Karpe

APP for Respondent-State : Mrs.V.S.Chaudhari
Advocate for the Assist to the P.P. : Mr.N.B.Narwade

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.11.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he is arrested in connection with Crime No. 0722/2024, registered with Ahmednagar Taluka Police Station, District Ahmednagar, for the offences punishable under sections 109, 189 (2), 191 (2), 191 (3), 190 of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 25 of the Arms Act.

3] It is the prosecution case that the informant Manoj Chobe while taking treatment in Saideep Hospital, Ahmednagar gave statement that on 19.09.2024 at about 10.30 p.m. he was sitting in his Rajveet hotel after

completion of the ritual of immersing the idol of Lord Ganesha in water. At that time suddenly 7/8 unknown person came there. They started saying why you have hidden boys in our hotel and threatened him to kill and they were armed with sickle, sword and iron rod.

4] The name of the applicant is not mentioned in the FIR, however, role of the applicant was revealed later on through C.C.T.V. and that the applicant had caught hold the hands of the person who was trying to intervene to stop the assault while other accused persons were assaulting the informant by means of weapons. However, there is no assault committed by the applicant. Apparently, the assault is committed by others and the role of the applicant is limited only to stop the others from intervening in the assault to save the applicant.

5] Considering that the applicant is in jail for two months and the applicant is suffering from HIV since 2020 and is taken treatment and that there are no antecedents against the applicant, keeping the applicant behind the bars now would not be desirable as the trial may take long time.

6] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 0722/2024, registered

with Ahmednagar Taluka Police Station, District Ahmednagar, for the offences punishable under sections 109, 189 (2), 191 (2), 191 (3), 190 of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 25 of the Arms Act, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter the jurisdiction of village Baburdi Bend, Hivarezare, Ahmednagar, for a period of two months.

c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail,

shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC