



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

986 BAIL APPLICATION NO. 2030 OF 2024

PRABHAKAR SHANKARRAO HAMBARDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH POLICE
INSPECTOR

...
Advocate for Applicant : Mr. Santosh C. Bhosle
APP for Respondent/State: Mr. A. A. A. Khan
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 05.12.2024

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 was arrested on 28.03.2023 in connection with Crime No.80/2023, registered with Vimantal Police Station, District Nanded, for the offences punishable under Sections 307, 395, 397, 398, 342 of the IPC & under Sections 4, 5 of the Arms Act.

3] The case of the applicant is that he along with 2 others has assaulted the victim by knife. The police papers indicates that there are corresponding 10 injuries on the victim of which 3 are grievous of which 1 is on the abdomen part and other injuries are simple in nature. There is an

independent eye witness, who corroborates the statement of the injured person as far as the informant.

4] The learned counsel for the applicant submits that the applicant is in jail for about 1½ year. He has no antecedents and the trial is yet to commence. He is arrested on 28.03.2023 i.e. about more than 20 months in jail.

5] Considering that the applicant is in jail for about 20 months and the offence is of 307 IPC and that there is no prior enmity but only that the applicant and other 2 persons asked money i.e. Rs.3,000/- from the victim for drinking liquor and the victim having refused he was assaulted by the applicant as well as other 2 persons. Considering the nature of injuries, so also, considering the fact that the applicant is around 20 months in jail and he is a young boy of 23 years having no antecedents and the trial will take long time to conclude, the applicant be released on bail.

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.80/2023, registered with Vimantal Police Station, District Nanded, for the offences punishable under Sections 307, 395, 397, 398, 342 of the IPC & under Sections 4, 5 of the Arms

Act, on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

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

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] 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.

e] 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.

8] 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.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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