



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

912 BAIL APPLICATION NO. 2045 OF 2024

Prashant Sahebrao Dhage

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Borulkar Avinash R.
APP for Respondents-State: Mr. P. K. Lakhotiya

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 06, 2024.

PER COURT :-

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 in connection with FIR No.430/2024, dated 05/09/2024, registered with Chikalthana Police Station, District Sambhajinagar, for the offences punishable under sections 352,351 (3), 351(2), 333, 191(3), 191(2), 190, 189 (2), 118 (1), 115, 109 of Bhartiya Nyaya Sanhita.
3. It is the case of the prosecution that on 03/09/2024, at about 8:30 p.m., the complainant was standing in front of his house with his seven-month-old child when Ganesh Dhage and Dadarao Ambhore began quarreling with each other. The complainant intervened to stop the

quarrel and succeeded in doing so. However, Ganesh Dhage threatened him for interfering and then left the scene.

4. Later, at about 9:00 p.m., while the complainant was inside his house, Ganesh Dhage allegedly returned with a sword, entered the complainant's house, and verbally abused him. Dhage questioned the complainant about why he intervened in the quarrel and assaulted him with the sword on his head. The complainant ran outside to escape the attack, but at that time, the other co-accused, including the present applicant, assaulted him with sticks and wooden logs.

5. According to the medical report, the complainant suffered an injury over the occipital region, corresponding to the sword attack inflicted by Ganesh Dhage. There are two injuries on the victim on the head from the sword attack. Prima facie no injury is caused by the applicant. Injuries are simple in nature.

6. The applicant, who is a co-accused in the commission of the crime, has been in custody since 11/10/2024. As custody of the applicant is no longer necessary, the applicant deserves to be released on bail.

7. In view of the above, the application is allowed in the following terms : -

a] The applicant shall be released on bail in connection with FIR No.430/2024, dated 05/09/2024, registered with Chikalthana Police Station, District Sambhajinagar, for the offences punishable under sections 352,351 (3), 351(2), 333, 191(3), 191(2), 190, 189 (2), 118 (1), 115, 109 of Bhartiya Nyaya Sanhita, 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 visit village Mahal Pimpri, Taluka and District. Chhatrapati Sambhajinagar where the informant is residing, till the filing of the charge-sheet. 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.

8. 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.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.