



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 415 OF 2024

Santosh Yadav Shelar
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Salunke Nitin S.
APP for Respondents: Mr. Mukesh K. Goyanka

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 19th MARCH, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") in connection with crime No. 0003 of 2024 registered with Camp police Station, Ahmednagar, district Ahmednagar for the offences punishable under Sections 307, 324, 452, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/25 of the Arms Act. His application with similar prayer bearing criminal bail application No. 104 of 2024 came to be rejected by the learned Additional Sessions Judge, Ahmednagar, vide order dated 15.2.2024.

2. It is averred in the report by the informant, who is mother of the injured Ujer and Umer that the applicant and other accused assaulted them by iron rod, wooden log, sickle by abusing them. They sustained injuries to their head, neck and hands. The applicant was accordingly arrested.

3. Learned advocate for the applicant submitted that the applicant has not assaulted any injured witnesses. The name of the applicant is not mentioned in the F.I.R. So also no any article is seized at the instance of the applicant. It is lastly prayed to allow this application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicant is involved in serious crime. The charge sheet is not yet filed. He prayed for rejection of the application.

5. Perused the papers of investigation, particularly the report and other documents. The name of the applicant is not mentioned in the report. In the report, there is no any specific role attributed to the applicant. The applicant has roots in the society, he will not flee away from the trial, the trial will take a long period and therefore, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 0003 of 2024 registered with Camp police Station, Ahmednagar, district Ahmednagar for the offences punishable under Sections 307,

324, 452, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/25 of the Arms Act, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-

- a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

(SANJAY A. DESHMUKH, J.)

rlj/