



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

957 CRIMINAL APPLICATION NO. 516 OF 2025

1. Bandu Uttam Gavane,
Age : 43 years, Occ. : Agriculture,
 2. Bappasaheb Uttam Gavane,
Age : 34 years, Occ. : Agriculture,
- Both R/o. : Gopal Vasti, Pimpalner,
Tq. and Dist. Beed

APPLICANTS

VERSUS

1. State of Maharashtra
Through Police Station Officer,
Pimplaner Police Station, Pimpalner,
Tq. and Dist. Beed

RESPONDENT

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Ms. Rani Bharuka Bora h/f. Mr. S.S. Bora – Advocate for Applicants
Mr. P.K. Lakhotiya – APP for sole Respondent, State

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 25.03.2025

PER COURT :

1. This is an application for relaxation of condition imposed vide clause (vi) of the order dated 07.09.2022 passed by the Additional Sessions Judge, Beed in Bail Application No.759 of 2022 by which the applicants are released on bail.
2. Learned Counsel submitted that the applicants are beneficiary of bail vide order dated 07.09.2022 passed by Additional Sessions

Judge, Beed in Bail Application No.759 of 2022, which was filed in consequence to their arrest in Crime No. 89 of 2022 registered at Police Station Pimplaner for the offences punishable under Sections 302, 143, 147, 148, 325, 324, 323, 504 r/w. 149 of the Indian Penal Code. However, one of the condition at clause (vi) is that they shall not enter into the village of informant and her family members till conclusion of trial. Learned Counsel further pointed out that agricultural land owned by applicants is one Kilometer away from the village. Therefore it is possible for applicants to stay away from the village and reside at their agricultural land itself in order to cultivate the land and earn a living.

3. Learned A.P.P. opposed the application on the ground that there is possibility of misuse of relaxation of condition as prayed.

4. After considering the above submissions and on going through the papers, it transpires that after registration of above crime, present applicants filed Bail Application No. 759 of 2022 and their application has been allowed by order dated 07.09.2022 imposing the condition in clause (vi) that, the applicants/accused shall not enter into the village of informant and her family members till further orders." The said order is of September-2022. Learned A.P.P. fairly

conceded that, there is no adverse report till date. Taking above facts into consideration, prayers as raised are hereby allowed. Applicants should not misuse relaxation of condition and should not enter in the village. They should not leave periphery of their lands. Hence, the following order:

ORDER

- (i) Application is allowed.
- (ii) The condition imposed vide clause no. (vi) of the operative order of the order dated 07.09.2022 passed by Additional Sessions Judge, Beed in Bail Application No. 759 of 2022 is hereby relaxed.
- (iii) Applicants shall not misuse the relaxation so granted today, in any manner and shall restrict themselves upto the periphery of their agricultural land.

[ABHAY S. WAGHWASE, J.]

Pooja Kale