



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 322 OF 2025

Giridhari Baban Dubbe

Age: 27 years, Occu.: Education,

R/o. Balsa BK., Mirkhel,

Dist.Parbhani.

....Applicant

Versus

The State of Maharashtra

(Through Tadkalas Police Station

District Parbhani)

.....Respondent

.....

Advocate for Applicant : Mr. Nilesh S. Ghanekar

APP for Respondent : Mr.PK.Lakhotiya

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 17 MARCH, 2025

ORDER :

1. Present application is for grant of regular bail on account of arrest of applicant in crime no.0121 of 2024 registered at Tadkalas Police Station, Dist.Parbhani, for offence under Sections 307, 326, 324, 341, 504, 506 read with 34 of the Indian Penal Code (IPC) and under Sections 4, 25 of the Arms Act.

2. Learned counsel for the applicant submitted that applicant is arrested in above crime on 26-12-2024. He pointed out that co-

accused are already released on bail. That, allegation against present applicant is of using knife, but injuries suffered by the injured are simple in nature. That, now investigation is over and chargesheet is already filed. Therefore, when no further recovery or discovery is made, learned counsel questions further continued custody of the applicant. According to him, as on today, matter is also not committed and no charge has been framed and therefore, also it is his submission that everything is uncertain and trial would take long time to be commenced and concluded. That, applicant is ready to abide by all and any conditions imposed by this Court. For above reasons, learned counsel seeks grant of bail.

3. Learned APP opposed application on the ground that serious offence like attempt to commit murder is committed. That, applicants has bad antecedents and two crimes for commission of offence under Sections 324 and 326 of the IPC are already committed and therefore, learned APP apprehends misuse of liberty by committing similar offence. Hence, learned APP prays for rejection of the application.

4. Heard. Perused the papers. FIR dated 31-05-2024 is at the instance of one Balasaheb Pandurang Dube. Substance of the FIR is that in the previous backdrop, on 29-05-2024, his cousin Krushna Narayan Dube and Ramdas Dube approached him. That Krushna had bleeding head injury and on enquiry, he reported that in the previous backdrop, Giridhar Dube i.e. present applicant and Vajjnath Dube hit him by stone. On 30-05-2024, when informant, Ramdas Dube, Datta Kalbande and Shahaji were passing on Motorcycle, it is alleged that at around 09:00 a.m., their Motorcycle was intercepted by present applicant, Rushi Dube, Uddhav Dube and Narayan Paradkar and it is alleged that present applicant was armed with knife, whereas Narayan was also armed with knife, Rishi was armed with rod and Uddhav was armed with wooden stick. It is further alleged that present applicant gave blows of knife on the head, abdomen and face of Ramdas. That, present applicant also inflicted blows on head and thigh of Shahaji and inflicted blow of knife on stomach of informant. On above report, crime has been registered.

5. As pointed out, accused Uddhav Dube and Rushi Dube are beneficiaries of regular bail at the hands of this Court on 21-10-2024. Now investigation is over and chargesheet is already said to be filed.

Injury certificates of informant, Ramdas and Shahaji are on record. As pointed out informant Balasaheb Pandurang Dube has suffered two simple injuries, Shahaji has suffered four simple injuries and Ramdas has suffered two simple and two grievous injuries, which are near eye and abdomen. Recovery is already now shown to be made. Investigation is over. Chargesheet is also filed.

Taking into account the submission of learned APP regarding criminal antecedents and possibility of misuse of liberty, stringent conditions can be imposed. Resultantly, in view of the material available on record, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Giridhari Baban Dubbe be released on bail in connection with Crime no.0121 of 2024 registered with Tadkalas Police Station, Dist.Parbhani on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.

(iv) Applicant shall not enter into vicinity of village Balasa, Tq.Purna, Dist.Parbhani till conclusion of trial.

(v) Applicant shall report to Tadkalas Police Station, Dist.Parbhani twice a week i.e. on every Tuesday and Friday between 11:00 a.m. to 02:00 p.m. till commencement of trial and after commencement of trial, he shall attend the effective dates in the trial Court.

(ABHAY S. WAGHWASE)
JUDGE