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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.377 OF 2025

Santosh @ Santiya S/o Megshyam Waghmare,
Age: 23 years, Occu.: Labour,
R/o. Shiv Nagar, Vishnupuri,
Nanded, Tq. & Dist. Nanded.

... Applicant

Versus

The State of Maharashtra
Through Police Inspector,
Vimantal Police Station,
Dist. Nanded.

... Respondent

.....
Mr. S.C. Bhosle, Advocate for Applicant
Mr. N.D. Batule, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 25 MARCH 2025

PRONOUNCED ON : 27 MARCH 2025

ORDER :

1. Instant application is for enlargement on regular bail on account of his arrest the applicant in Crime No.0080 of 2023, registered with Vimantal Police Station, District Nanded for offences punishable under Sections 307, 342, 395, 397, 398 of the Indian Penal Code (IPC) and under Section 4/25 of the Arms Act.

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2. Learned counsel for the applicant submitted that, applicant is arrested in above crime since 04.08.2023. That, there are allegations of using knife, and the same is recovered. That, allegations are against several persons, but specific role of each person is not defined. That, investigation is over, and charge-sheet is already filed on 25.09.2023 itself. That, no further recovery or discovery is to be made at the instance of the applicant. That, applicant is behind the bars since long, and as there are no prospects of trial commencing or getting over in near future, learned counsel seeks grant of bail.

3. Learned APP, who opposed on the bail application pointed out that, serious offence is committed. That, there are use of deadly weapon like knife. That, statement of injured Ganesh is also recorded in which, he defined the role of each of the accused, including present applicant. According to learned APP, present applicant is the main accused, who has inflicted knife injury on the vital part.

4. Heard. Perused the FIR dated 07.03.2023, lodged against present applicant and five others. Informant Ramesh Hivrale reported police that, on 07.03.2023, his brother Ganesh Hadbeen to the market. Around 04:00 p.m., he learnt from people that his brother has been stabbed and he is lying injured. Therefore, he went to the

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such spot, and on a query, his brother Ganesh told that, Santosh @ Santiya Waghmare (present applicant) and his four friends obstructed him and demanded money for drinking liquor. He did not pay them, and therefore, Avinash Bharat and Anil Hambarde caught hold of him, they forcibly took out Rs.3,000/-, and when he put up resistance, it is alleged that, present applicant, Prabhakar, Monya assaulted him on back, stomach and arms by means of knife. After admitting his brother Ganesh in the Hospital, he lodged above report and on the basis of which, crime was registered for above offences.

5. Statement of Ganesh is also recorded on 10.05.2023, and he has stated that, in the market, when he was obstructed and when his amount of Rs.3,000/- tried to be snatched, he put up resistance, and at that time, present applicant, Prabhakar, Monya inflicted him with kinfe on his back abdomen and arms. Injury certificate of Ganesh is placed on record. He has suffered as many as 10 injuries, out of which three are grievous, i.e. on abdomen, right flank and left flank. On Court query regarding what is the status of the matter, as the crime is of 2023, learned APP placed on record daily status of Sessions Case No.245 of 2023, and copy of the same shows that on 15.03.2025, matter was posted for evidence.

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6. Therefore, apparently, matter is on the verge of trial. Taking the such current status into consideration, this Court is not inclined to grant bail. Hence, the following order:

ORDER

Bail application is rejected.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane