



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 608 OF 2025

Rangnath Narhari Dure
Age 57 years, Occupation Agriculture,
R/o. Takali, Tq. and Dist. Latur.

... Applicant
[Orig. Accused No.7]

Versus

1. The State of Maharashtra,
Through Officer Incharge,
Police Station MIDC Latur,
District Latur.

2. The Superintendent of Police,
Latur, District Latur.

... Respondents

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Ms. Ashwini A. Lomte, Advocate for the Applicant.
Mrs. Vaishali S. Chaudhari, APP for Respondent-State.
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CORAM : ABHAY S. WAGHWASE, J.

DATE : 24.04.2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in crime no. 0755 of 2024 registered at M.I.D.C. Latur Police Station, District Latur for offences punishable under Sections 109, 333, 352, 351(2), 189(2), 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita (BNS).

2. Pointing to the date of arrest of the applicant as 11.02.2025, learned counsel pointed out that alleged occurrence is of 27.10.2024, but FIR is lodged on 01.11.2024. Therefore, there is delayed reporting. She further pointed out that, as regards the present applicant is concerned, he is not named in the FIR, but after over two months, supplementary statement has been given wherein his name has cropped up. She further pointed out that applicant is almost 60 years of age. No recovery or discovery is made from him since his arrest. Only his clothes are seized, but there are no stains reported over it. Charge sheet is already filed and hence, she urges for grant of bail.

3. Learned APP opposed on the ground that there was assault by accused persons. There are two eye witnesses namely Khanderao and Dagdu. She submitted that though statements of these witnesses are recorded on 25.01.2025 i.e. almost three months after the FIR, she submits that offence is serious and there is every possibility of applicant misusing liberty.

4. Heard. Perused the FIR dated 01.11.2024 at the instance of Umakant Sot. He has reported that on 27.10.2024 at around 8.30 p.m., his younger son Mauli left house. At around 9.30 p.m., Govind

Dure and Om Khedkar came and assaulted him, his wife and other son by means of stick and shock absorbers and even said that they have finished their younger son. When informant and his family members went there, they found Mauli lying injured and people had gathered there. Informant claims that while shifting his younger son to hospital, he allegedly told that Rohini had given him a chit and had called him to meet and therefore, he alone went there and that, around 9.00 p.m., Kamlakar, Kumar, Manoj, Govind, Om and Gopal initially abused and gave him kicks and fist blows. That time, Om, Gopal and Kamlakar beat him with sticks, whereas Govind and Manoj used shock absorbers to beat him. After reporting it, his son alleged fell unconscious. Thus, *prima facie* six persons are named in the FIR, but name of applicant does not figure therein.

5. Learned APP has opposed on the ground that there is account of eye witnesses i.e. Khanderao and Dagdu. However, apparently there statements are recorded after a gap of almost three months. Even otherwise, name of applicant has cropped up in the supplementary statement of informant recorded on 06.01.2025. Taking the same into consideration, as investigation is over and charge sheet is filed, relief as prayed deserves to be granted. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.
- II. Applicant be released on bail in connection with Crime No. 0755 of 2024 registered at M.I.D.C. Latur Police Station, District Latur, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:
- [a] The applicant shall not tamper prosecution evidence.
- [b] The applicant shall not enter the vicinity where informant, his family members and near and dear ones reside, till conclusion of trial.
- [c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
- [d] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday till framing of charge and thereafter, shall regularly attend each and every effective date before the trial court.

[ABHAY S. WAGHWASE, J.]

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