



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

928 BAIL APPLICATION NO. 1864 OF 2024

**SOMNATH BHONYA @ MALSING PAWRA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Applicant : Mr.Rajendra N.Chavan
(Appointed Thr. Legal Aid)

APP for Respondent no.1 : Mr.VM.Chate

Advocate for Respondent no.2 : Miss. Mayur S. Hange (Appointed)

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 13 FEBRUARY, 2025

PER COURT :-

1. This is an application received from Jail Authority. Consequently, Mr.R.N.Chavan, learned Advocate is appointed through the Legal Aid to represent applicant.

2. Today, matter was kept for hearing on bail application.

3. Learned APP for respondent State and learned Advocate for victim have strongly opposed the bail application. Learned APP pointed out that he has received information that in the trial Court matter is reached to the stage for Say on Application under Section 294 of the Code of Criminal Procedure. He also pointed out that said

application was tendered in 13-01-2025 itself and Say is not given by the respondent yet.

Therefore, *prima facie* in the considered opinion of this Court now there is no further hurdle for matter going for trial.

4. Learned Advocate for applicant also points out that in the chargesheet age of applicant accused is shown as 19 years.

5. Needless to state that learned trial Court will definitely look into this aspect and ascertain as to whether on the date of occurrence, present applicant was major or minor. As trial is about to commence, bail application is disposed of. However, liberty is granted to applicant to move application after two months, if trial does not commence.

6. Fees of the learned Advocate appointed for respondent no.2 is to be paid through the High Court Legal Services Sub-Committee, Aurangabad, as per Rules.

(ABHAY S. WAGHWASE)
JUDGE