



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

BAIL APPLICATION NO.2255 OF 2024

Subhash S/o Vishnu Bade
Age: 35 years, Occu.: Labour
R/o. Yeli, Tq. Pathardi,
District Ahmednagar

... Applicant

Versus

The State of Maharashtra
Through Police Inspector,
Pathardi Police Station,
Tq. Pathardi, District. Ahmednagar.

... Respondent

.....
Mr. Dilip A. Khedkar, Advocate for Applicant
Mr. N.D. Batule, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 29 JANUARY 2025

PRONOUNCED ON : 31 JANUARY 2025

ORDER :

1. Applicant seeks enlargement on bail on account of his arrest in Crime No.0655 of 2024 registered at Pathardi Police Station, District Ahmednagar for offences punishable under Sections 307, 326, 452, 323 of the Indian Penal Code (IPC) and under Sections 3/25, 4/25 and 27 of the Arms Act.
2. Learned counsel for the applicant submitted that there is false implication. That, applicant is arrested on 27.06.2024 in some incident dated 26.06.2024. Learned counsel pointed out that, there are allegations of

use of Gun, but there was no intention to kill. That, incident took place on the spur of the moment. That, there was no motive also. That, applicant is behind bars since long. That, investigation is over, and charge-sheet is also filed, and when nothing is to be recovered or discovered at the instance of applicant, learned counsel seeks relief of regular bail.

3. While opposing the bail application, learned APP pointed out that offence of attempt to murder has been committed. That, there is use of arm like Gun. That, applicant is specifically named for firing the Gun, which allegedly hit the father of informant on the waist. That, other crime is also registered against the applicant. Therefore, with such serious allegation, learned APP opposes the bail application. He submits that, even though the charge-sheet is filed, applicant does not deserve relief of bail.

4. Heard both the sides. Perused the papers. FIR dated 27.06.2024 at the instance of one Kiran Manik Kedar. He has reported that he had married Sonali, who had sought divorce from the present applicant in the year 2023. He reported that, on 26.06.2024, at around 8:30 p.m., when he and his family were taking dinner, applicant came and gave kick to his wife Sonali. At that time, applicant also placed Pistol on the throat of Sonali, questioning her about her second marriage. It is reported that, at that time, informant's father Manik tried to snatch the Pistol, at that time, the present applicant fired the Pistol on the waist of his father.

The applicant was caught by the public, who had gathered there, and he was handed over to police. On above report, crime has been registered. Taking the above nature of the accusation into consideration, though charge-sheet is filed, this Court is not in favour of granting any relief at this stage at least. Hence, the following order :

ORDER

Application is rejected.

(ABHAY S. WAGHWASE, J.)

S P Rane