



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

BAIL APPLICATION NO. 2323 OF 2024

Yogesh Manohar Rajput
R/o. Station Road, Amalner,
Tq.Amalner, Dist.Jalgaon,
Maharashtra, India.

....Applicant

Versus

The State of Maharashtra
Through its Investigation Officer,
Amalner Police Station,
Tq.Amalner, Dist.Jalgaon.

.....Respondent

.....
Advocate for Applicant : Mr.Harshal P. Randhir h/f.
Adv. Rani Kailas Agrawal
APP for Respondent : Mr.V.M.Jaware
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 14 JANUARY, 2025

PRONOUNCED ON : 17 JANUARY, 2025

ORDER :

1. Applicant seeks enlargement on bail in consequence to his arrest in Crime no.0060 of 2024 registered at Amalner Police Station, District Jalgaon for offence under Sections 307, 143, 147, 148, 149, 504 and 506 of the IPC.

2. Learned counsel for the applicant pointed out that applicant is arrested in above crime on 25-07-2024 and since then he is behind bars. Learned counsel pointed out that there was free fight and present applicant has also lodged FIR against present informant for similar offence. It is pointed out that allegations against present applicant are use of Gupti, but injury certificate shows that there was simple injury and subsequently informant managed certificate from private hospital showing grievous injury. That previous to filing of chargesheet bail application was preferred, but was withdrawn. That now investigation is over. That other accused are already set at liberty. That nothing is to be recovered from the applicant. For above reasons, learned counsel prays for relief of regular bail.

3. Opposing the application, learned APP pointed out that crime is registered for offence of attempt to murder and other penal sections including threat to kill. Learned APP pointed out that applicant is main accused. He has used Gupti. Learned APP pointed out that though General Hospital, Dhule issued injury certificate showing injuries to be simple, he pointed out that private hospital, where injured were taken, shows injuries to be grievous. According to him, apparently deadly weapon is used and therefore, with such

allegations and more particularly, in view of cross complaint, learned APP opposes relief of bail.

4. After hearing both sides and on going through the papers, it emerges that one Mohan Balaji Satpute set law into motion on 18-02-2024 reporting Police that there was minor quarrel between his son Pankaj and one Sumit, son of present applicant, and said quarrel was resolved. He further reported that, at around 09:00 p.m. present applicant, his son Sumit, Mukesh Pardeshi and Rajesh Pardeshi came armed with articles like Gupti, knife, fighter and iron rod. Initially, abuses were hurled and thereafter, above named persons assaulted with above articles. Informant stated that initially injured were taken to private hospital and then later on taken to Civil Hospital. On above report, above crime seems to have been registered.

5. On going through the medical papers, which are part of chargesheet, it does appear that Medical Officer of General Hospital, Dhule has examined Kalpesh, Pankaj, Anil and has issued injury certificates about suffering simple injuries, however, MLC certificate of said persons issued by private practitioner shows injuries to above

persons to be grievous in nature. Even otherwise assault is said to be articles like Gupti, knife, iron rod, fighter and sites of injuries are said to be head, chest, neck, abdomen and frontal region. Therefore, considering the nature of accusations, present applicant, whose role is clearly defined for using Gupti that too on abdominal part, this Court does not consider it a fit case to grant relief at this stage atleast. Hence, the following order :

ORDER

Application is rejected

**(ABHAY S. WAGHWASE)
JUDGE**