



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 578 OF 2025

Akash Govindrao Lule,
Age : 22 years, Occu. : Labour,
R/o. Tanaji Nagar, Hingoli Naka,
Behind Heritage School, Nanded.

... Applicant

Versus

The State of Maharashtra
At the instance of Itwara
Police Station, Nanded.

... Respondent

.....
Mr. A. K. Bhosle, Advocate for Applicant
Mr. S. B. Narwade, APP for Respondent - State
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 23 APRIL 2025

PRONOUNCED ON : 30 APRIL 2025

ORDER :

1. Present application is for enlargement on regular bail on account of arrest of applicant in Crime No. 0345 of 2023 registered at Itwara Police Station, District Nanded for offence punishable under sections 302, 307, 120-B, 294, 201, 387, 504, 506, 143, 147, 148 and 149 of Indian Penal Code and under sections 4/25 and 4/27 of the Arms Act and under section 135 of the Maharashtra Police Act.

2. Learned counsel pointed out that, applicant is arrested

in above crime on 01.01.2024. That, in all 30 persons apart from 8 juvenile are booked in above crime including present applicant. That out of them, 19 are already granted bail. He pointed out that, another co-accused in similar allegations, namely Santosh has been granted bail. Now, investigation is over and charge sheet is filed way back in February 2024. Therefore, on both above grounds, he urges for grant of bail.

3. Learned APP opposed on the ground that, applicant is named in the FIR. That, there is use of deadly weapon. That, there are allegations of use of sword. That, there is eye witness account. That, sword is recovered. For all above reasons, bail is opposed.

4. Heard. Informant Abhimanyu reported that, deceased his cousin had informed him about extortion and threats received from one Keshav for conducting business. On 07.11.2023, when deceased was in the company of informant, at that time, accused persons came on motorcycle. That, after Sagar and Monu were caught and they were tried to be taken on motorcycle, resistance was put up and eye witness account and injured witness account states about assault by means of deadly weapon sword, knife and khanjar. Sagar allegedly succumbed to the assault.

5. Applicant was arrested in above crime and is said to be behind bars since one year and four months. Main accused appears to be Keshav and allegations are of threats and extortion against him. Similarly placed person namely Santosh has been granted bail by this court. Therefore, on the ground of parity present applicant, to whom similar role is attributed, also deserves to be granted bail. Hence, I proceed to pass the following order :-

ORDER

I. The application is allowed.

II. Applicant Akash Govindrao Lule be released on bail in connection with Crime No.0345 of 2023 registered with Itwara Police Station, District Nanded, on executing Personal Bond of Rs. 50,000/- with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not contact co-accused.

[c] The applicant shall not enter the vicinity where the informant resides, till conclusion of trial.

[d] Till conclusion of trial, the applicant shall not leave the area of jurisdiction of the concerned police station without leave of the trial court.

[e] The applicant shall attend the concerned police station twice in every month, i.e. on every 1st and 16th day of every month

and maintain personal diary of his attendance till trial is concluded.

[f] The applicant shall furnish proof of his residence and cell number to the police, with an undertaking that he would not change it until the trial is concluded.

[g] The applicant shall regularly attend each and every effective date before the trial court

(ABHAY S. WAGHWASE, J.)