

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4698 OF 2024

Avinash Santosh Garud ... Applicant

Versus

The State of Maharashtra & Anr. ... Respondents

Mr. Akshay Bankapur, Advocate for the Applicant.

Mr. B. B. Kulkarni, APP for the Respondent – State.

Ms. Kanchan Pawar, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd JANUARY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 193 of 2024 registered with Wadner Khakurdi Police Station, Malegaon, Nashik, for the offences punishable under Sections 307, 326, 323, 504, 506 r/w 34 of Indian Penal Code, 1860 (for short “IPC”).

2. It is prosecution’s case that on 14.04.2014, at about 7.30 p.m., the applicant along with co-accused assaulted the first informant and his friend with sharp weapon to kill them on the ground of old dispute.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for around two years. The applicant has no antecedents. There is no progress in the trial and requested to allow the

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application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant brutally assaulted the first informant and his friend with an intention to kill them. The applicant and his family members are threatening the first informant and his friend. If the applicant is released on bail, he may threaten first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsel. Perused chargesheet and documents produced on record. The applicant is behind bars for two years. There is no progress in the trial. The applicant has no antecedents. The allegations against the applicant are of assaulting the first informant with fighter. The main allegations are against the co-accused. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 193 of 2024 registered with Wadner Khakurdi Police Station, Malegaon, Nashik, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.

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- iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- iv. The Applicant shall stay outside the Malegaon City till recording evidence of first informant and his friend.

6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)