

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.243 OF 2015

Aniket Sunder Poojari

..Applicant

-Versus-

State of Maharashtra

..Respondent

Mr.R.D.Suryavanshi for applicant

Mr.P.P.Shinde, APP for State.

Mr.Aslam Khatib, API, Mahatma Phule Police Station present.

CORAM : REVATI MOHITE DERE, J.

DATE : 10th March 2015.

P.C.

1] Heard learned Counsel for the applicant and learned
APP for State.

2] By this application, the applicant seeks his enlargement on
bail in connection with C.R.No.I-532 of 2014 registered with the
Mahatma Phule Police Station for the offences punishable under
section 307, 504 read with 34 I.P.C. and section 25(1)(c) of the Arms
Act

3] Learned Counsel for the applicant states that the incident in question took place on 25th July 2014. In the said incident, Satish Karbhari and Chetan Karbhari got injured. He relied upon the statement of the injured and the injury certificates. He further submitted that, although in the statements of the injured, the applicant's name is disclosed as having assaulted them, the injury report which is at page Nos. 60-61, it is specifically mentioned that the assault was by 4 to 5 unknown persons by sharp objects. Learned Counsel for applicant further submitted that only two persons were arrayed as accused i.e. the present applicant and one juvenile.

4] He further submits that the applicant is aged 19 years and has just appeared for his XII std. Examination, and has no antecedents. Considering the material on record, the statements of the injured and the injury certificate and the age of the applicant, the applicant is entitled to be enlarged on bail, on the following terms and conditions:-

(a) The applicant is enlarged on bail in the sum of

Rs.15,000/- with one or two surety in the like amount;

(b) the applicant shall not tamper with the evidence or attempt to influence any person concerned with the case after released on bail;

(c) applicant shall cooperate with the conduct of the trial;

(d) Applicant shall report to Mahatma Phule Police Station on the first Sunday of every month between 10 and 11 a.m. till the conclusion of trial.

(e) It is made clear that if there is breach of any of the conditions as stated above, the prosecution shall be at liberty to seek cancellation of applicant's bail;

4] The application is disposed of in the above terms.

5] The aforesaid observations are prima facie, and the trial court shall decide the case on its own merits, in accordance with law,

uninfluenced by the observations made in this order.

6] Parties to act on an authenticated copy of this order.

(REVATI MOHITE DERE J.)