

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 2064 OF 2015

Sunny @ Yogesh Ajinath Parde ..Applicant

v/s.

The State of Maharashtra. ..Respondents

Mr. Debajyoti Talukdar for the Applicant

Mrs. Veera Shinde, APP for the Respondent/State.

Mr.S.B.Panchorkar, Police Inspector, Market Yard Police Stn. Pune City present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : NOVEMBER 24, 2015.**

P.C.

1. This bail application is filed by the aforesaid applicant who is an accused in Sessions Case No.336 of 2015 pending before the Sessions Court, Pune for offence under Section 307, 452, 506(ii), 504, 143, 147, 148, 149, I.P.C. r/w. 3, 4 and 25 of the Arms Act and Section 37(1) and Section 135 of the Bombay Police Act.

2. Heard learned Counsel for the applicant. He has submitted that

the applicant is not known as Sunny. He is not identified as a victim. He has further submitted that the injuries are not of serious nature. He is in custody since 01.03.2015. He further submitted that the chargesheet is already filed and as such the presence of the applicant is no longer required in custody. He further submitted that the other co-accused are already released on bail.

3. The learned APP submitted that the name of the applicant has been specified by the victim in the FIR. She has further stated that the applicant is known as Sunny and that he has criminal antecedents. The learned APP has submitted that the FIR reveals that the applicant was involved in a serious crime and therefore he is not entitled for bail.

4. I have perused the records and considered the submissions advanced by the learned Counsel for the applicant and the learned APP for the State., The records prima facie reveal that one Shri Ravi Dattatraya Tambe had lodged complaint stating that on 28.2.2015 at about 11.30 p.m. while he was called near the main gate of DAD

Colony, one Sunny Parde and some others came on motor cycle to the spot of incident and thereafter they assaulted him with sword and iron rods. He has further stated that the said Sunny Parde had also threatened to cause his death.

5. It may be mentioned here that the brother of the applicant by name Suraj Parde was also arrested in the said crime and in the Identification Parade, held on 27.3.2015 the victim had identified Suraj Parde, the brother of the applicant as the assailant.

6. It is also to be noted that the medical certificate reveals that the first informant had sustained injuries on the forearm and one contusion over the left temporoparietal region. The victim had not sustained serious or grievous injuries on any vital part of the body.

7. The applicant is in custody since 1.3.2015. The chargesheet is already filed and the case is already committed to the sessions court. Considering these aspects and also considering the aforesaid factors, in my considered view, the applicant is entitled for bail. Hence the

bail application is granted on the following terms and conditions:

- i) The applicant is ordered to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand Only) with one or two solvent sureties in the like amount to the satisfaction of the Sessions Court, Pune.
- ii) The applicant shall not interfere with the victim or any other witnesses.
- iii) The applicant shall not leave the jurisdiction of Pune District without the prior permission of the Session Court.

(ANUJA PRABHUDESSAI, J.)