

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 746 OF 2016**

Sandip Subhash Doifode

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Priyal G. Sarda for the Applicant

Mr. Arfan Sait, A.P.P for the Respondent-State

API Mr. U. A. Shinde from Vairag Police Station, Solapur, is present

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 20th APRIL, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 18 of 2016 registered with the Vairag Police Station, Solapur, for the alleged offences punishable under Sections 143, 147, 148, 149, 307, 323, 504, 506 of the Indian Penal Code.

3. In an incident which took place on 16th January, 2016 at about 10:30 a.m, the complainant - Pramod Shelke, Harichandra Doifode and Govind Pawar, received injuries. The complainant – Pramod Shelke has set out the manner in which all the accused alighted from the vehicle, verbally abused the complainant and his two friends, i.e. Harichandra Doifode and Govind Pawar, threatened them with dire consequences and thereafter how the accused assaulted the three of them. According to the complainant, the present applicant assaulted Harichandra Doifode with an iron pipe on his right hand.

4. Learned Counsel for the applicant submits that out of nine accused, six have been enlarged on bail and two are absconding. He submits that the allegations *qua* the present applicant is similar to that assigned to other accused.

5. Learned A.P.P opposed the bail application. He submits that as a result of the assault by the applicant on Harichandra, Harichandra suffered grievous injuries.

6. Perused the papers and the injury certificates. The complainant has received two simple injuries and two grievous injuries. According to the complainant, he was assaulted by original accused Nos. 2, 6 and 7. Govind has suffered five injuries, 4 CLWs, which are stated to be simple in nature and two fractures, which are stated to be grievous injuries. The fractures are of the right and left leg. The injuries of Govind are stated to have been caused by accused No. 1 and others (not the applicant). As far as Harichandra Doifode, he has suffered two puncture wounds, which are simple in nature caused by accused No. 9 and fracture of the three fingers of the right hand, which is stated to be a grievous injury. There are no antecedents *qua* the applicant.

7. Considering the aforesaid and the fact that all other accused have been enlarged on bail, the applicant is also enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on every Sunday from 10:00 a.m. to 11:00 a.m till filing of the charge-sheet and thereafter, on the first Sunday of every month from 10:00 a.m. to 11:00 a.m for a period of twelve months from the date of filing of the charge-sheet;

(iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number within two weeks of his release, and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein 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.

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

REVATI MOHITE DERE, J.