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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.395 OF 2016

Vikas Deepak Kamble	..Applicant.
V/s.	
State of Maharashtra	..Respondent.
Mr.Satyavrat Joshi for the applicant.	
Ms.R.M. Gadhvi, APP for respondent-State.	

CORAM : A.M.BADAR, J.

DATED : 14TH JULY, 2016

P.C. :-

1. The applicant / accused in Crime No.7/2015 for offences punishable under section 307 and 504 of the Indian Penal Code registered with Pusegaon Police Station, Satara by this application is seeking his release on bail.

2. Heard the learned counsel for the applicant. He submitted that the applicant is a 19 years old young boy with no criminal antecedents. The learned counsel for the applicant pointed out the injury certificate and submitted that pre-trial detention of the applicant is not warranted on filing of the

charge-sheet.

3. The learned APP opposed the application by submitting that there are three eye witnesses and weapon of offence is found at the instance of the applicant.

4. According to the prosecution case, as reflected from the statement of Ajit Phadtare, there used to be minor quarrels between the injured Ajit Phadtare and the applicant Vikas Kamble. Injured Ajit Phadtare in his statement reported to the police that on 16th January, 2015 the applicant assaulted him by means of a *Koyta*. The F.I.R. came to be lodged by Sanjay Mane. He is an eye witness to the incident. Injury certificate shows that Ajit had suffered five contused lacerated wounds. Apart from one injury to temporal region, all other injuries are on wrist, forearm, thigh and waist.

5. The investigation is already over and the charge-sheet is filed long back in June, 2015. Considering the nature of offence and the injuries sustained by Ajit Phadtare, pre-trial detention of the applicant is not warranted and, therefore, the order :-

- (i) The application is allowed;
- (ii) The applicant / accused in Crime No.7/2015 for offences punishable under section 307 and 504 of the Indian Penal Code registered with Pusegaon Police Station, Satara be released on bail on his executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him / her from disclosing such facts either to the Court or to any police officer and that he shall not tamper with the evidence;
- (iv) The applicant / accused shall co-operate for expeditious disposal of the trial;
- (v) The applicant / accused shall not commit an offence similar to the offence of which he is accused or suspected of commission;
- (vi) The application is disposed of accordingly.

(A.M.BADAR, J.)