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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.62 OF 2016

Sunny @ Laxmikant Manohar Kshirsagar ..Applicant.

V/s.

State of Maharashtra ..Respondent.

CRIMINAL BAIL APPLICATION NO.816 OF 2016

Somnath Dinkar Jadhav ..Applicant.

V/s.

State of Maharashtra ..Respondent.

Mr.Satyavrat Joshi for the applicant in both applications.

Ms.Veera Shinde APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 13TH JUNE, 2016

P.C. :-

1. Applicants / accused in Crime No.249/2015 for offences punishable under sections 307 and 427 read with 34 of the Indian Penal Code registered at Vishrambag Police Station, Pune by these applications are praying for releasing them on bail during the pendency of trial.

2. Heard the learned counsel appearing for applicants as well as the learned APP for the State. Perused the papers of investigation.

3. The informant Aarti lodged an F.I.R. on 21st August, 2015 to the effect that when she was proceeding on her scooter, near a shop named as "Ambika Tailor", one person wearing brownish colour shirt had attempted to assault her by means of an axe. The F.I.R. shows that the informant was successful in evading the blow. The F.I.R. was against unnamed person. The informant apprehended that the applicant Sunny @ Laxmikant, whose proposal was rejected by the applicant, must be the mastermind behind the incident.

4. Charge-sheet is filed before the appropriate Court. The applicant Somnath who has allegedly attempted to assault the informant is not even identified. Considering the nature of offence, evidence against applicants as well as nature of offence, pre-trial detention of applicants is not warranted. Hence the order:-

(i) Applicants / accused in Crime No.249/2015 for the

offences punishable under section 307 and 427 read with 34 of the Indian Penal Code with Vishrambag Police Station, Pune be released on bail on their executing P.R. Bond in the sum of Rs.10,000/- each with one or more sureties in the like amount;

- (ii) As a condition of this order, applicants / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against applicants so as to dissuade him from disclosing such facts either to the Court or to any police officer and that they shall not tamper with the evidence;
- (iii) Applicants / accused shall inform their latest place of residence and cell number after their release and continue to inform the change in residence or cell number, if any, from time to time to the Investigating Officer of the concerned police station and on filing the charge-sheet to the concerned Court;
- (iv) Applicants / accused shall co-operate for expeditious disposal of the trial;

- (v) Applicants / accused shall not commit an offence similar to the offence of which they are accused or suspected of the commission;
- (vi) Applicants / accused shall not leave India without the prior permission of the concerned Court;
- (vii) Both applications are disposed of accordingly.

(A.M.BADAR, J.)