

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

**CRI. BAIL APPLICATION NO. 831 OF 2016**

Vaibhav Jyotiba Shivthare

... Applicant.

V/s.

The State of Maharashtra

... Respondent.

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Mr. Vishal L. Kolekar, Advocate, for the Applicant.

Mr. S. S. Pednekar, A.P.P. for the Respondent – State.

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**CORAM : A. M. BADAR, J.**

**DATE : 28<sup>th</sup> JUNE, 2016**

**P.C. :**

1            Heard the learned counsel appearing for Applicant /  
accused as well as the learned APP for the State.

2            Perused the chargesheet. Allegations against the  
present applicant/accused are to the effect that he formed an  
unlawful assembly with a common object to commit murder of  
injured-Taushif Tahir Kazi on 31.08.2015 and in process, he  
caused grievous hurt to the injured.

3            Perusal of the FIR goes to show that 4 to 5 days  
prior to the incident in question, the present applicant was  
assaulted at village Shirval. Thereafter, on 31.08.2015, as  
reported by injured-Tausif Tahir Kazi, the present applicant

alongwith co-accused assaulted him by means of sword and hockey sticks as also a revolver used for firing pellets. Perused the injury certificate of the injured. It is seen that the injured suffered contusion lacerated wounds over temporal region inflicted by sharp and blunt object. It is reported by the additional public prosecutor that long back investigation is over and the chargesheet is also filed. Hence, pre-trial detention of the present applicant-accused is not warranted. Therefore, the following order :-

### **ORDER**

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 11 of 2015 registered with Shirwal Police Station, Satara, be released on bail on executing PR bond of Rs.25,000/- and on furnishing surety in the like amount, pending trial.
- iii. As a condition of this order, the Applicant/accused is directed that he 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 such person from disclosing such facts either to the Court or to any

police officer and that applicant shall not tamper with the prosecution evidence in any manner.

- iv. The applicants should co-operate the trial court in expeditious disposal of the trial.
- v. The applicant should not commit offence of similar nature with which he is charged.

The application is disposed of in the above terms.

(A. M. BADAR, J.)

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