

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

CRI. BAIL APPLICATION NO. 1087 OF 2016

Mr. Ajit Vitthal Bedage ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr. A. P. Mundargi, Senior Advocate a/w. Mr. Satyavrat Joshi,
Advocate for the Applicant.

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

CORAM : A. M. BADAR, J.

DATE : 08th JUNE, 2016

P.C. :

1 The Applicant/ accused in Crime No. 479 of 2015 for the offence punishable under sections 307, 201, 452 read with section 34 of the Indian Penal Code and under section 3(25) the Indian Arms Act as well as under section 37(1) r/w. 135 of the Maharashtra Police Act, registered with Kondhwa Police Station, Pune at the instance of Sau. Rajashree Ajit Bedage (wife of the applicant/accused), is seeking bail during pendency of the trial.

2 Heard the learned senior counsel appearing for the Applicant as well as the learned APP for the State. Learned senior counsel for the applicant argues that considering the

nature of the offence and as the charge-sheet is already filed, pre-trial detention of the applicant is not at all warranted.

3 As against this, learned APP submitted that on 20th December, 2015 statement of the informant was recorded under section 161 of the Criminal Procedure Code by the Investigating Officer, wherein she has stated that the applicant/accused had fired bullet from pistol and injured her with an intention to kill her.

4 After due investigation, the investigating officer has already filed the chargesheet against the applicant/accused. It appears that in order to evade payment to Sunil Bagal as well as other persons, the applicant/accused had staged/managed the show that a stranger entered in his house and fired bullet at his wife. Be that as it may, on completion of investigation, pre-trial detention of the applicant is not at all required. It is not the case of the prosecution that the applicant/accused will not be available for trial and that he may not receive sentence, as may be awarded to him. The injury suffered by victim -Rajashree is simple injury hence, the following order :-

ORDER

- i. The bail application is allowed.

- ii. The Applicant/accused in Crime No. 479 of 2015 for the offences punishable under sections 307, 201, 452 r/w. 34 of the Indian Penal Code and under section 3(25) the Indian Arms Act as well as under section 37(1) r/w. 135 of the Maharashtra Police Act, registered with Kondhwa Police Station, Pune at the instance of Sau. Rajashree Ajit Bedage (wife of the applicant/accused), be released on bail during the pendency of the trial on executing PR bond in the sum of Rs. 10,000/- and on furnishing surety in the like amount.
- iii. As a condition of this order, the Applicant should co-operate the trial court in expeditious disposal of the trial.
- iv. The applicant shall not tamper with the prosecution evidence in any manner and he should not commit offence of similar nature in future.
- v. This bail application is disposed of accordingly.

(A. M. BADAR, J.)

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