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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1362 OF 2016

Pravin @ Pintu Mohan Pol and ors	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. Shekhar Ingawale, a/w Mr. Ashok Misal, for
the Applicant.
Mrs. Veera Shinde, APP for the Respondent State.
Mr. R.B. Kumbhar PI -CID Kolhapur.

CORAM : A. M. BADAR, J.

DATE : 20th JULY, 2016.

P.C. :

1. The applicant Pravin @ Pintu Mohan Pol and ors, who are accused in Crime No.95 of 2009, registered with Dahiwadi Police Station, District: Satara, for the offences punishable under Sections 307, 333, 395, 353, 341, 342, 427, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, by this application, are seeking their release on bail.
2. Heard the learned counsel appearing for applicants as well as learned APP.
3. Out of 12 accused in this crime, 10 accuses are already on bail. The averments in the F.I.R. lodged by Kundalik Tembare, on

27.10.2009, are to the effect that he was deputed to work as body guard with one Sadashiv Pol Ex-Member of Maharashtra Legislative Assembly. Said Sadashiv Pol came to be defeated in the Assembly Election of the year 2009. The accused persons suspect that informant helped the candidate sponsored by rival political party. With this reason, according to informant, accused persons abused him, assaulted him and injured him.

4. So far as present applicants are concerned, averments as reflected from the chargesheet are to the effect that applicant Arjun Devkule had snatched a packet containing five live cartridge from waist belt of informant Kundalik Tembare. It is averred that both the applicants alongwith co-accused tied hands and legs of the informant. It is averred that applicant Pravin @ Pintu chased the informant alongwith co-accused. Thereafter, he assaulted the informant by giving blows of rifle which was with the informant and subsequently he had broken that rifle.

5. Now Investigation is complete and charge sheet is filed. The test identification parade came to be conducted on 10th October, 2015 i.e. after period of six years from the date of alleged incident. Other accused persons are already released on bail. There is no apprehension that present applicants would not be available for trial or that they will misuse their liberty. Hence order.

Order

- I) The application is allowed.
- II) Applicants arrested in connection with above offence, be released on bail on their executing P.R. Bonds in the sum of Rs.5,000/- by each of them and on their furnishing sureties in the like amount, by each of them.
- III) Applicants shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.
- IV) Applicant shall attend the trial scrupulously and shall co-operate the trial Court in expeditious disposal of the case.
- V) Applicant shall not tamper with the prosecution evidence in any manner.
- VI) Applicants shall not commit similar offence in future.

[A. M. BADAR, J.]